THE EVE OF CATHOLIC EMANCIPATION

CATHOLICISM IN ENGLAND.

THE LIFE AND TIMES OF BISHOP CHALLONER (1691-1781). By EDWIN H. BURTON, D.D., Vice-President of St. Edmund's College, Ware. With 34 Portraits and other Illustrations. 2 vols. 8vo, 25s. net.

THE DAWN OF THE CATHOLIC REVIVAL IN ENGLAND, 1781-1803. By BERNARD WARD, F.R.Hist.S., President of St. Edmund's College, Ware. With numerous Portraits and other Illustrations. 2 vols. 8vo, 25s. net.

LONGMANS, GREEN AND CO.,

LONDON, NEW YORK, BOMBAY AND CALCUTTA.

Emery Walker Ph. Sc.

Right Rev. William Poynter
Bishop of Halia
Vicar Apostolic of the London District 1812-1827
From a painting by Ramsay at St. Edmund's College

THE EVE OF CATHOLIC EMANCIPATION

BEING THE HISTORY OF THE ENGLISH CATHOLICS DURING THE FIRST THIRTY YEARS OF THE NINETEENTH CENTURY

BY THE RIGHT REV.

MONSIGNOR BERNARD WARD, F.R.HIST.S.

PRESIDENT OF ST. EDMUND'S COLLEGE

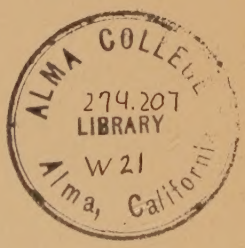
AUTHOR OF "THE DAWN OF THE CATHOLIC REVIVAL IN ENGLAND (1781-1803)"

IN THREE VOLUMES

VOL. II.

1812-1820

WITH ILLUSTRATIONS



LONGMANS, GREEN AND CO.

39 PATERNOSTER ROW, LONDON

NEW YORK, BOMBAY AND CALCUTTA

1911

3415

Nihil Obstat.

F. Thomas Bergh, O.S.B.,
Censor Deputatus.

Imprimatur.

Edmundus Surmont, D.D.,
Vicarius Generalis.

Westmonasterii, *Sept.*, 19 1.

CONTENTS OF THE SECOND VOLUME.

CHAP.		PAGE
XVI.	Bishop Poynter, Vicar Apostolic. Mission of Bishop Moylan	1
XVII.	The Catholic Relief Bill of 1813	23
XVIII.	Failure of the Bill	42
XIX.	Meeting of Vicars Apostolic	57
XX.	The Quarantotti Rescript	71
XXI.	Reception of the Rescript	85
XXII.	The Appeal to Rome	100
XXIII.	The Appeal to Rome (*continued*)	117
XXIV.	The Genoese Letter	135
XXV.	Domestic Affairs	155
XXVI.	Bishop Milner and the Orthodox Journal	172
XXVII.	The Catholic Bible Society	189
XXVIII.	Case of the Rev. Peter Gandolphy	205
XXIX.	End of the Blanchardist Schism	221
XXX.	Public Affairs	233
XXXI.	Recovery of the English Colleges in France	255
XXXII.	Catholic Literary Work	270
XXXIII.	Butler's Historical Memoirs and Milner's Supplementary Memoirs	288
	Appendices	305
	Chronological Table of Events	347
	Index	353

Nihil Obstat.

F. Thomas Bergh, O.S.B.,
Censor Deputatus.

Imprimatur.

Edmundus Surmont, D.D.,
Vicarius Generalis.

Westmonasterii, *Sept.*, 19 1.

CONTENTS OF THE SECOND VOLUME.

CHAP.		PAGE
XVI.	Bishop Poynter, Vicar Apostolic. Mission of Bishop Moylan	1
XVII.	The Catholic Relief Bill of 1813	23
XVIII.	Failure of the Bill	42
XIX.	Meeting of Vicars Apostolic	57
XX.	The Quarantotti Rescript	71
XXI.	Reception of the Rescript	85
XXII.	The Appeal to Rome	100
XXIII.	The Appeal to Rome (*continued*)	117
XXIV.	The Genoese Letter	135
XXV.	Domestic Affairs	155
XXVI.	Bishop Milner and the Orthodox Journal	172
XXVII.	The Catholic Bible Society	189
XXVIII.	Case of the Rev. Peter Gandolphy	205
XXIX.	End of the Blanchardist Schism	221
XXX.	Public Affairs	233
XXXI.	Recovery of the English Colleges in France	255
XXXII.	Catholic Literary Work	270
XXXIII.	Butler's Historical Memoirs and Milner's Supplementary Memoirs	288
	Appendices	305
	Chronological Table of Events	347
	Index	353

LIST OF ILLUSTRATIONS IN THE SECOND VOLUME.

RIGHT REV. WILLIAM POYNTER, Bishop of Halia, Vicar Apostolic of the London District, 1812-27 . *Frontispiece*

From a painting by Ramsay, at St. Edmund's College.

FACING PAGE

RIGHT REV. FRANCIS MOYLAN, Bishop of Cork, 1786-1815 10

Reproduced from the Laity's Directory *for* 1817, *the original being at Lulworth.*

HOUSE OF VICARS APOSTOLIC, DURHAM (OLD ELVET) . . 14

This house was the scene of meeting of the Vicars Apostolic in four consecutive years 1811-14. *The door on the right led to the house of Bishop Gibson, that on the left to the part used as a chapel. Reproduced from a pen-and-ink sketch, by kind permission of Canon William J. Brown.*

ROBERT STEWART, VISCOUNT CASTLEREAGH 36

From a painting by Sir Thomas Lawrence in the National Portrait Gallery.

RIGHT REV. WILLIAM GIBSON, Bishop of Acanthos, Vicar Apostolic of the Northern District, 1790-1821 . . 60

From a painting in possession of Colonel Wilfrid Gibson, of Hexham.

POPE PIUS VII. 86

From the well-known painting by Sir Thomas Lawrence at Windsor Castle.

THE MOST REV. DANIEL MURRAY, Coadjutor to Dr. Troy, 1809-23, Archbishop of Dublin, 1823-51 102

This is part of a large painting of the religious profession of Miss Grattan-Bellew, at St. Vincent's Hospital, Dublin, in 1846.

FACING PAGE

CARDINAL LITTA 122

Reproduced from the Laity's Directory *for* 1817.

ST. MARY'S, MOORFIELDS 160

From a painting at St. Edmund's College.

CAVERSWALL CASTLE, STAFFORDSHIRE 186

Reproduced from the Annals of the English Benedictines of Ghent *(now at Oulton, Staffordshire), by kind permission of the Lady Abbess.*

BERNARD, TWELFTH DUKE OF NORFOLK 236

From a painting in possession of the Duke of Norfolk.

CAPTAIN EDWARD WHYTE 246

From a painting at St. Edmund's College.

REV. JOHN LINGARD, D.D. 276

From a minature by Skaife, engraved by McCabe; frontispiece to fifth edition of his History (1849).

CHARLES BUTLER, K.C. 290

From a miniature in possession of his great-niece, Miss Cox. This miniature was reproduced as the frontispiece to the first edition of the Historical Memoirs.

THE EVE OF CATHOLIC EMANCIPATION

CHAPTER XVI.

BISHOP POYNTER, VICAR APOSTOLIC. MISSION OF BISHOP MOYLAN.

THE death of Bishop Douglass was a great loss to the English mission; but happily there was no period of vacancy in the London Vicariate. According to provision already made, and in virtue of his right as coadjutor, Bishop Poynter at once succeeded. Moreover, he came not altogether untrained for the responsible office which he was called upon to fill; for during the declining years of Dr. Douglass's life a large share of the government of the district had fallen upon his coadjutor, and Dr. Poynter began his work not unprepared for the many and grave difficulties with which he was soon to be confronted, and which were destined to last almost through the remainder of his life.

Within a few days after the death of Dr. Douglass, a political crisis arose, in which the Catholic question was once more the dominant factor. The immediate occasion was the tragic death of Mr. Perceval, the Prime Minister, who was assassinated in the lobby of the House of Commons on May 11, 1812. It was, however, rather the occasion than the cause. For some time past it had become evident that the Government could not last very long, and when the Marquis Wellesley resigned his position as Foreign Secretary in February, 1812, it seemed as though the end could not be far off. The reason which he assigned was that the Peninsular War had not been prosecuted with adequate vigour. This was the only reason which as Foreign Secretary he could legitimately urge; but his views in favour of concession to the Catholics were well known, and shortly afterwards he had the opportunity of bringing them forward. For after the death of Mr. Perceval, it was evidently necessary that the Ministry should be strength-

ened, if it was to avoid falling, and the Prince Regent tried to induce the Marquis to return to it, while at the same time it was hoped that Canning would accept office. Lord Liverpool was commissioned to sound both of them, and both independently raised the question of the policy of Government towards the Catholics. Canning was especially insistent. In his speech on Grattan's motion the previous April, he had declared that now that George III. had ceased to act as king, the one insurmountable obstacle had been removed—an obstacle, he said, not of opinion but of conscience, which they had been consequently bound to respect. Now that this was removed, he thought the time had come for pressing forward their claims. Lord Liverpool declared, however, that neither he nor his colleagues had changed their views. The most he would admit was that he was not irrevocably pledged against concession, and that "circumstances might arise" in which he would be willing to consider the advisability of a change of policy. This, however, did not satisfy either Wellesley or Canning, and they both declined to join the Administration.

While these negotiations were in progress, the House of Commons became impatient, and an extraordinary, if not unprecedented motion was made by Mr. Stuart Wortley, that an address be sent to the Prince Regent, begging him to take steps to form "an efficient Ministry". This was of course practically a motion against the Ministry under reconstruction before it had even been formed. An opposing amendment having been defeated by a majority of four votes, the address was actually drawn out and sent. It seems to have had some effect, for a few days later it was announced that the Marquis Wellesley had been commissioned to form a Ministry. It was not to be limited to members of any one party, and the Prince—contrary to custom—named a certain number of the Ministers himself. It was ultimately proposed that Lord Castlereagh, who had succeeded Wellesley as Foreign Secretary the previous February, should continue in that office. Mr. Canning was to be a member of the Cabinet, as also Lord Grenville and Earl Grey. All of these were in favour of concession to the Catholics, this being really almost the only principle which could have kept them together. It is strange in view of the Prince's known views against Emancipation that he should have consented to these nominations.

Marquis Wellesley, however, very soon found that he had undertaken an impossible task. Lords Grenville and Grey refused to join him, and considerable misunderstandings arose with other members of the projected Cabinet. He had no alternative but to communicate the result to the Prince. The latter then sent for Lord Liverpool, who on June 8 accepted the office of Prime Minister, which he was destined to hold for the unusual period of fifteen years. This meant of course the continuance of the existing Government, and the House accepted that result without protest. The Ministry was, however, strengthened by the inclusion of Lord Sidmouth (formerly Henry Addington) as Home Secretary, and the promotion of Mr. Robert Peel—then less than twenty-five years old—from the Under-Secretaryship for the Colonies, to the office of Chief Secretary for Ireland. Both of these were uncompromising opponents of the Catholic claims.

The Catholic question was now, however, ostensibly an open one in the Cabinet, and Canning had no mind to let the matter drop. He had already given notice that he would move that it should be considered early in the following year, and he only postponed his motion—which had been fixed for May 28—until the Ministerial crisis was over. He now renewed the notice, and his motion came on for discussion on June 22. The terms of it were, "That this House should early in the next session take into its serious consideration the state of the laws affecting His Majesty's Roman Catholic subjects in Great Britain and Ireland, with a view to such a final and conciliatory adjustment as may be conducive to the peace and strength of the United Kingdom, to the peace and stability of the Protestant establishment, and to the general satisfaction and concord of all classes of His Majesty's Protestant subjects". He made a forcible speech, and was supported by Lord Castlereagh. Others also spoke; but it was chiefly due to the influence of these two great statesmen that, after so many years of weary waiting, at length the Catholics secured a majority, the voting being: For the motion 235; Against it, 106; Majority 129. On July 1 a similar motion was made in the House of Lords by the Marquis Wellesley, and although it was not successful, the result showed a great change of opinion in favour of the Catholics. For it was met by the Lord Chancellor moving

the Previous Question, and even with all his official influence, he only carried his motion by the balance of a single vote, the numbers being: Contents, Present 74, Proxies 52, Total 126. Non-contents, Present 74, Proxies 51, Total 125.

Soon after this, Parliament was somewhat unexpectedly dissolved, to test the feelings of the constituencies. The election took place in the autumn, and resulted in a strengthening of the Government's position: but the House of Commons remained pledged to consider the Catholic question during the following year, with a view to a settlement, with at least the consent of the Government. A critical time for the Catholics was foreshadowed.

Such were the difficulties in public affairs which awaited Dr. Poynter during the first year of his rule in the London District; and he was called upon to confront them at a time when the internal difficulties of his office were not slight. For Milner was ever on the watch, ready to find fault with any false step he might take, while the Irish bishops made no secret of their distrust of him.

Writing to a friend[1] a few months later, Dr. Poynter laments the position in which he finds himself. "I do not think," he says, "that there is a person placed in a more critical situation than I am. Every act of mine is watched and searched. If the shadow of a charge against me were to appear, I should be publicly called upon to retract. This makes me cautious to avoid the *appearance* of evil, that the scandal which would be caused by a public call on me may be prevented."

He continued, however, hopeful in all his trials. In a letter to the Irish prelates about the case of Abbé de Trevaux, he wrote as follows:—

"For the official conduct of my predecessor I am not responsible. I am fully sensible of the most weighty charge that is imposed upon me; not at all, I can assure your Lordships, by my own seeking. Amidst much consolation which I receive from the zealous and respectable clergy of the London District, I see much labour, affliction and external opposition before me. I know that a strong prejudice has been excited in your Lordships' minds against me, which would be a great

[1] Rev. J. Kirk of Lichfield; see *Kirk Papers* (Oscott), vol. iii.

discouragement to me if I had not confidence in God, and did not know that this prejudice originated in a misconception of my principles and conduct. . . . I assure your Lordships that I earnestly endeavour by prayer, study, consideration and the best advice to know my duty, and the most prudent and efficacious means of performing it in the midst of the difficulties with which I am surrounded; and that I am willing to go through any labour, suffering or opposition in the performance of it. In talents, learning and experience, I will own myself inferior to each one among your Lordships; but I will not yield to you in my readiness to labour and suffer for Christ and His Church."

In the meantime, in view of the Resolutions of the seven Irish bishops in the autumn of 1811, it began to appear as though it would be necessary to refer the case of Abbé de Trevaux to the Holy See. In order to meet this contingency, Dr. Poynter wrote to the Bishop of Angoulême, asking him to put into writing a statement of the assurances which Trevaux had given him, on the strength of which his faculties had been restored. The bishop answered by sending a copy of his disclaimer of schismatical or antipapal doctrine which has already been quoted. From this time therefore we find Dr. Poynter saying definitely that he was in possession of a written copy of Trevaux's retractation, though he still refused to show it. Milner apparently had an idea that Dr. Poynter had obtained some new document;[1] but he continued to assert that no written retraction was in existence.[2]

As soon as Dr. Poynter succeeded to the London District, the Bishop of Angoulême wrote a long letter begging him not to go back on the policy of his predecessor, which was to be considered (he said) as wise and prudent. In truth Dr. Poynter was not tempted to do so. He was prepared to defend his position and had no idea of giving way. In this resolution he was confirmed by the advice of his new vicar-general, the

[1] "It is well known that Trevaux was restored without any document or *démarche* at all on his part, merely on the assurance of certain French Prelates that he did not mean to affront B[ishop] D[ouglass]. Whatever documents relative to this affair now exist, have occurred in a fruitless attempt to induce him to retract his approbation of schism" (*Pastoral*, 1813, Part III., p. 29, note).

[2] "Now no such copy [of the alleged Retractation] has been sent: none such can be sent, because it does not exist" (*Ibid.*, p. 18).

Rev. James Yorke Bramston, who living at St. George's Fields, had come into close contact with the French refugees; for many of them lived in that part of London, and frequented the Church in London Road. He knew the Abbé de Trevaux personally, and in a letter to Dr. Poynter, he gives his view of the Abbé's case as follows:—

"I love benignity: I loved Bishop Douglass for being benign, and had I been in his place, might I not have said, 'Poor fellow [Trevaux], I see he was mistaken: he asks for no public restitution of character: he is an old man, and e'en let him exercise his faculties'. A soul truly sensible to benignity is little suspicious of acrimony to those without it. But when the acrimony was visible—when the serpent stung (I mean Blanchard: I add not Castabala, for he is a Bishop) should not Trevaux then have published his recantation? I would have done so, I hope! Might he not have been forced to do so? Here I bow lowlily, for I am not a master of the subject: what a man ought to do is one thing; and what a man can be made to do is another. An injury pardoned cannot be revived to punishment, that is certain. But though an injury be pardoned, if it revive as to scandal, whether the injurious party is not bound (in conscience at least) to repair that scandal himself, and not to throw the reparation upon another —this I leave to casuists better skilled than I am; but with regard to him who causes the scandal to revive, not only as to a spark in the *Ambigu instante*, but who blows it into a flame —nay, into a conflagration . . . unaccountable!"

In another letter to Dr. Poynter he gives his ideal of a good bishop, in words the application of which can be understood. "I pray" (he writes) "that your Lordship may prove as a Bee, active, with a sting to use only when necessity requires, but constantly productive of much honey. Avert from us that which is all stir and sting, and makes no honey for us. I like not Mitred Wasps."

As this is the first time we have come prominently across Mr. Bramston, who was destined afterwards to play an important part in Catholic affairs, we may conveniently pause to say a few words about his past history. His antecedents were very different from those of any of the other vicars apostolic, and his influence could not fail to have a broadening effect on

the counsels of the London Vicariate. He was born a Protestant—a member of a Northampton county family—and received a University education at Trinity College, Cambridge. He was at first destined by his parents for an appointment in the East Indies. When certain obstacles prevented the realisation of this scheme, it was proposed that he should join the Navy. This arrangement was also cancelled, at the request—it is said—of his mother, who could not face the idea of such a complete separation from him as that profession would have entailed. In after life he would congratulate himself on having escaped this fate, for whenever he had to cross the sea, he suffered greatly from sickness. After these two changes of plan he gave himself to the study of the law, which he consequently began rather later than is usual; and he became a pupil of Charles Butler, though not more than two or three years his junior.[1] He was much struck by Butler's private life and unostentatious piety, while Butler on his part became interested in his pupil, whom he persuaded to accompany him to the services at the Sardinian Chapel. These influences eventually told upon Bramston, and in 1790, at the age of thirty-seven, he was received into the Church by the well-known Father O'Leary.

After his conversion Mr. Bramston remained in London for a year, when having decided to become a priest, he went to Lisbon to join the English College. There he was ordained in 1797. He remained at the college for four years, during which he did some excellent work in ministering to the Catholics among the British troops then quartered at Lisbon. The President wished him to stay at the college permanently; but he decided that he was not fitted for college life, and returned to England to labour on the mission. He was stationed at St. George's Fields, where he worked for many years among the poor with great fruit.

Notwithstanding that he was an "outsider," Mr. Bramston was a most popular man among the London clergy, his genial face and portly figure being welcome at every gathering. He was elected a member of the chapter in 1813, and nine

[1] There has been some uncertainty about Dr. Bramston's age. That given here is taken from a letter written by himself; and it accords with the conclusion arrived at by Gillow.

years later became dean, when according to the curious rule in that body, he took precedence even of his own bishop. Together with continual geniality he joined real hard work, and his unusual history gave him an influence almost unique. "A Popish priest grafted on a Protestant lawyer," he would say, "should be a switch for the devil himself." The stories told of him—or against him—were numerous, the latter of which no one enjoyed more than himself.[1] Yet while he ever kept up the appearance of good spirits and cheerfulness, he did so in spite of very uncertain health, which often caused him extreme suffering.

Dr. Poynter had three vicars general, or "grand vicars". Two of these were his former Douay colleagues, Rev. Joseph Hodgson—who had held the office under Dr. Douglass—and the well-known Dr. Thomas Rigby. The third was Mr. Bramston. He remained on the mission at St. George's Fields, and only came to Castle Street occasionally; but it soon became evident that he would be Dr. Poynter's chief adviser; and his devotion to and affection for the bishop was one of the features of his character. It was freely said that he would soon be appointed coadjutor. This report reached the ears of Dr. Milner, who at once wrote saying that he should strongly oppose such a nomination. He gave four reasons: (1) that Mr. Bramston was not a theologian; (2) that he had been once under restraint in a lunatic asylum; (3) that he had been once in prison, and though he had been released, he had never properly cleared his character; (4) that he was too friendly with Charles Butler. The last reason was of course in truth the chief one: we can understand the distress which

[1] The following story has been told and re-told many times over: and for that very reason, can hardly be omitted here:—

A lady once came to see Dr. Bramston, to secure his interest in arranging a marriage between her daughter and a friend of his. Through ignorance of his name, she called him throughout "Mr. Brimston". Having listened to her with great patience, he answered quietly, "Madam, I see you are making a mistake. My name is not *Brimstone*, and I have nothing to do with making *matches*. (*History of St. Edmund's College*, p. 235).

Another less well-known story may be given. On one occasion, while riding, Mr. Bramston fell off his horse. Being very heavy and unwieldy, the result was serious; and for some minutes he was unconscious. Several friends who were with him gathered around, in evident anxiety for his life. At length he showed signs of consciousness and eventually spoke—amid gasps for breath. His first words were, "If you see any brains about—they are—mine!"

Milner would have felt at the very thought of a pupil of Charles Butler being raised to the episcopate. With respect to the other reasons given, Mr. Bramston replied that about the year 1787, before his conversion, he had indeed had an illness of the brain which lasted several weeks; but he was never in an asylum. The other incident he declared himself able to explain if called upon to do so; that also related to a period before his conversion. With respect to his knowledge of theology, he could only say that he had been asked to teach it at Lisbon. At this time, however, no definite proposal to make him coadjutor had yet been put forward.

We have now to give our attention to an incident which throws considerable light on the relations of the other vicars apostolic with their colleague of the Midland District on the one hand, and with the Irish Episcopate on the other. This was a visit to England on the part of Bishop Moylan of Cork, which took place during the summer of 1812. Milner speaks[1] as though he came for the express purpose of endeavouring to bring about a better understanding between the Irish bishops and the English vicars apostolic. For this task he was specially qualified, for he had been a friend of Bishop Douglass, and had often visited him at Castle Street; he had seen Dr. Poynter at St. Edmund's College, and also in London, and he was personally known to the other vicars apostolic; while in Ireland he was esteemed and even venerated by his colleagues in the episcopate. Moreover, in the unfortunate disputes between the prelates of the two countries, he had always shown a conciliating disposition, and a desire for peace. His ambition now was to make the success of his mission the crowning act of a long life.

It is not, however, accurate to suppose that he journeyed all the way to England for this sole purpose. His primary object was to take the waters at Bath, where we find him in company with his coadjutor,[2] Dr. MacCarthy, in the early summer. But in view of his projected journey, he determined to utilise the occasion for the end he had in view. In order to prepare the way, he wrote to Dr. Gibson, the senior vicar

[1] *Sup. Mem.*, p. 185.

[2] Milner calls him the dean of the chapter and Dr. Moylan's "intended successor". He must, however, have been aware that Dr. MacCarthy was in episcopal orders. He was consecrated in 1804: see Brady, ii., p. 98.

apostolic, during the first half of Lent, sending him a copy of his pastoral, and expressing a desire to correspond with him. His letter arrived just after the issue of Milner's *Explanation with Dr. Poynter.* This should be borne in mind in reading Dr. Gibson's answer, for like his colleagues, he attributed the misunderstanding with the Irish bishops to Milner's action. He wrote on April 12, 1812, as follows:—[1]

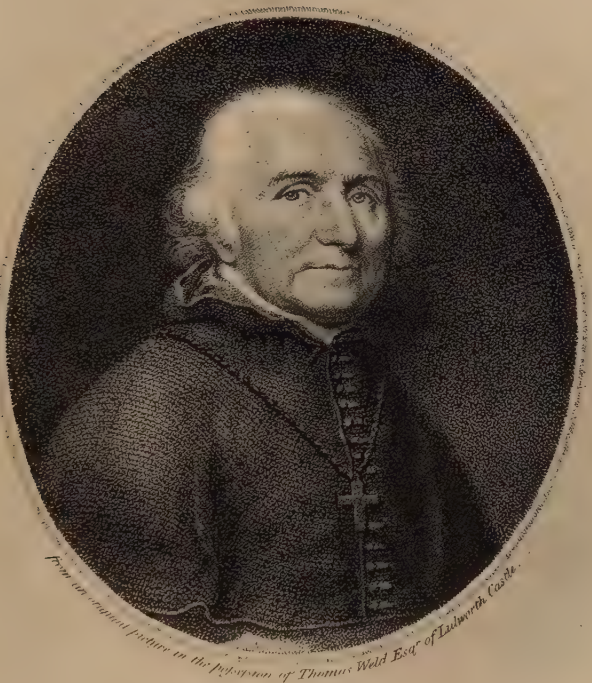
"My Lord,

"I return your Lordship my most sincere thanks for copies of your Lenten Instruction, and more particularly for the honour you have done me in expressing your wish to correspond. Indeed, I am thoroughly persuaded that by the neglect or refusal of the Irish Prelates to answer the English Vicars Apostolic, incalculable evils have been occasioned, which I much wish to remedy. . . .

"After Bishop Milner had established all his arguments in favour of the Veto, supported as he informed us by the Irish Hierarchy, and before they had rejected it in their assembly in 1808 (which gave me great consolation), I was so alarmed in consequence of the information of their agent, Dr. Milner, in case it should not be rejected, that I wrote to Dr. Troy in the strongest terms against it, but he never has given any answer. I understand he sent my letter to Dr. Milner. You must know whether he communicated it to the Irish Prelates. But notwithstanding this, and that the constant opposition I at all times made to the Veto cry is universally known, Bishop Milner informs me that on a vague surmise only of the contrary, my name though the first Vicar Apostolic was omitted in the nomination to a new dignity. What dignity does he mean?[2] But as I always detested the Veto, I answered that whoever had represented me as of any different sentiments, was guilty of calumny and was bound to restitution. As after this I could not expect the favour of any answer from Dr. Troy, I wrote to Dr. O'Reilly in order to rectify various representations, and to terminate disagreeable, prejudicial and lamentable disputes arisen in consequence of such injurious representations. He has not answered.

[1] *Westminster Archives.*

[2] This is an allusion to a vague rumour current at that time that an English cardinal was soon to be created; and among the names mentioned, Dr. Gibson's was not one.



From an original picture in the possession of Thomas Weld Esq.r of Lulworth Castle.

The Right Reverend

FRANCIS MOYLAN, D.D.

Catholic Bishop of Cork,

Died Febr.y 10.th 1815. Aged 80.

Pub.d Nov.r 1.st 1816 by Keating Brown & Keating 58 Duke Street Grosvenor Square.

"I do not trouble your Lordship with this to enter on any, or continue discussions, but to consult you, and to suggest the necessity of preventing evils and scandals amongst our respective flocks, and throughout the Church. It is publicly known in how unbecoming a manner and in what light the Vicar Apostolic of the London District in particular has been held out, not only in these islands, but in North and South America, Spain, Portugal, Sicily[1]; with threats to extend the same complaints throughout the whole Church, and all represented as backed and supported by the Prelacy of Ireland, relying on the representation of an agent, contrary to the sentiments of the other Vicars Apostolic with whom they declined to correspond. . . .

"I cannot think of any mode of stopping such evils except that the Irish Prelates should either themselves, or instruct an agent, to publish in the parts of the mentioned circulation, and particularly soon of Sicily and of Italy, that after further enquiries, more extended mutual communications and explanations, they are most happy to find their fears dissipated, and that they and the English Bishops agree in and are perfectly united in every article of religion, and love and esteem each other, as brethren and children of the Holy Catholic Church. I do not know of any other way of preventing such lamentable evils, but something of the above kind. It does not appear that the accused can do more, or expect less. The fatal consequences cannot be charged on their brotherly love, and the commands of God lead us to wish and hope they may not. As you have great influence amongst the Irish Prelates, I trust your love of peace and order in the Church will prompt you to exert your zeal, that if, in consequence of these misconceptions or vague reports or representations which have reached any of the mentioned countries, it should be understood that disunion exists betwixt the Prelates of Ireland and England, which must be very prejudicial to both, these injurious effects may be removed.

"I remain, with the most sincere attachment to you, and regard for the other Prelates, my Lord,

"Your most faithful humble servant,

"✠ WIL. GIBSON."

[1] Milner had sent copies of his *Explanation with Dr. Poynter*, to bishops in these countries.

This letter at least indicates that Dr. Moylan had undertaken a difficult and delicate task. Nothing daunted, however, he set to work as soon as he had leisure. During his stay in the West of England, early in June,[1] he went over to Chepstow, where Dr. Collingridge then lived. Their interview, however, does not seem to have been a success. Dr. Collingridge argued with Dr. Moylan, and in his own opinion obtained the advantage in argument. Whether his estimate was just or not, in any case this was not calculated to lead to peace. In truth Dr. Collingridge had little or no hope of arriving at any such result: he did not believe that the "Negotiator" (as he styled him) could exercise any appreciable influence over Dr. Milner's attitude, and all he looked for was to defend himself and his brother bishops.

Though disappointed at the result of his first effort, Dr. Moylan did not give up hope, and coming on to London a few weeks later, he called at Castle Street. Here he was received by Dr. Poynter with all cordiality, as he himself bore witness. Dr. Poynter assured him that De Trevaux's written retractation was in the room where they were sitting, though he refused to show it. But he then proceeded to give his own version of the recent events in the English Catholic world, which was of course similar to that of Dr. Collingridge, but probably more forcibly, if quietly, expressed. Of course it differed very widely from the accounts which Dr. Milner had given.

Dr. Moylan was certainly very astonished by what he heard from Dr. Poynter during the several long conferences which they had together: how far he was really impressed by it, we can only surmise; for he went straight on to stay with Bishop Milner at Wolverhampton, and any impression that Dr. Poynter might have made was soon undone. As a result of his conferences with Dr. Milner, however, he decided to make a supreme effort and asked all the vicars apostolic to meet him at Bishop Gibson's house at Durham. Bishop Collingridge was profoundly sceptical about the value of the proposed conference, and thought it not worth while to incur the very considerable expense of so long a journey. He therefore excused

[1] Milner says that he came in July; but a letter from Dr. Collingridge, dated June 12, alludes to his visit as even then not very recent. His visit to London was during the month of July.

himself. Dr. Poynter came, bringing with him Rev. James Yorke Bramston; and the President of Ushaw, Rev. John Gillow, also attended. Three conferences were held on Friday August 21, Saturday the 22nd, and on the afternoon of Sunday the 23rd. Milner gives a short account of the proceedings in the *Supplementary Memoirs*, and also in one of his pastorals, and elsewhere, while in the *Westminster Archives* there is a fuller account written by Dr. Poynter at the time. By combining these we can obtain a fair idea of what happened.[1]

The first day was spent in a long and fruitless discussion covering the whole ground of the differences between the two parties. At the opening of the second day Dr. Moylan produced the following two resolutions which he had drawn out in consultation with Dr. Milner and Dr. MacCarthy:—

"1. That we deem it inexpedient to concur in or consent to any changes in any part of the general Ecclesiastical discipline now observed by the Catholics of the United Kingdom, especially in the appointment of bishops, unless such change or changes be authorised by the Holy See.

"2. That renewing and confirming our former declarations and condemnation of certain publications injurious to the character and authority of his Holiness Pope Pius VII., we declare that we will not permit any ecclesiastic within the limits of our respective jurisdictions, to exercise any sacerdotal function, who maintains or shall maintain by word or writing that his Holiness Pope Pius VII. is a heretic or a schismatic, or the author or abettor of heresy or schism, or those who refuse to declare themselves in communion with all those who hold communion with his Holiness, and for this purpose we will require an explanation of their sentiments on this point from all those who have given, or may hereafter give, reason to be suspected."

These two resolutions were almost the same as had been already accepted by the vicars apostolic at their meeting in 1810; yet Milner had a strong idea of the value of passing

[1] The account given by Milner in his *Supplementary Memoirs* differs slightly in point of order from that given by Dr. Poynter; but as the latter was written at the time, it is probably on that point correct. Similarly the Resolutions as quoted by Milner seem intended as a summary; or possibly they may have been the original draft.

them again. So great were his hopes that he afterwards wrote:—[1]

"Had these resolutions proposed by the Bishop of Cork and his two friends been adopted and adhered to by the senior V[icar] A[postolic] and his two friends, perfect peace and harmony would have been immediately restored among the Catholic pastors of the two Islands; the mischievous resolution of the Tavern meeting would have been rendered innoxious; the schismatical clauses of the ensuing bill would not have been brought forward; the Blanchardist Schism would have been suppressed; and hundreds if not thousands of the emigrant French who during the following six years died in acknowledged schism, without any other chance for eternity but that which invincible ignorance afforded, would have died in the open communion with the Catholic Church."

The other vicars apostolic, however, did not take the same view, and while expressing their concurrence with the substance of the Resolutions, they refused to sign them. Dr. Poynter gives his reasons as follows:—[2]

"By signing the resolutions proposed by Dr. Moylan, with a view to satisfying the Irish Bishops and Dr Milner, who have accused us and condemned our past conduct, that in future we will do our duty in these respects, without requiring some acknowledgment on the part of Dr. Moylan and Dr. Milner that the charges brought against us were founded on a misconception of our conduct and its motives, we should give an implied assent to the statement and charges by which we conceive ourselves to be injured in our official characters."

Milner, on the other hand, declared[3] that "he was willing to make an apology for any expressions in his publications or writings that hurt the *personal* feelings of any individual; but he declared that he would not retract the assertion of any one fact or any part of his reasonings upon it"; and that "the falsehood of his statements and reasonings must be shown before he would retract anything". He added what he considered to be this "personal apology". The full text of it can be found in the *Supplementary Memoirs*.[4] He carefully limits his declaration of regret to "any mere expression contained

[1] *Sup. Mem.*, p. 189.
[2] Minutes of Meeting (*Westminster Archives*).
[3] *Ibid.*
[4] P. 291.

House of Vicars Apostolic, Durham

in those publications or writings, which they themselves shall deem offensive to them," instancing the term "College Usher" which he had applied to Dr. Poynter; and he concludes with the following sentence:—

"Whereas this my [episcopal] brother [Dr. Poynter] and others [my episcopal] brethren have treated me in my view of things very disrespectfully, by word of mouth, writing and even through the press, I hereby acquit them of all obligation of retracting these assertions or insinuations".

On the Sunday afternoon the same temper prevailed. No spirit of conciliation was shown: both sides wanted peace, but in each case upon their own terms. The proceedings were lightened for a moment by Dr. Bramston's genial humour. Dr. Milner attacked him for having visited Sedgley Park School, which was in the Midland District, and exercised authority there: to which Dr. Bramston answered that the only boys he had examined were students for the London District. He received Milner's complaints with genial smiles, and when the latter finally told him that he was "a very good lawyer, but no Canonist or Divine," Mr. Bramston walked up to him and "in great good humour shook his hand," in appreciation of the compliment on his legal knowledge. This appears to have been the only incident to relieve the long afternoon's argumentation. At the end Dr. Gibson declared that he would have nothing to do with the resolution proposed; but suggested that they "should make peace by declaring that [they were] all of the same religion and of the same faith," which was presumably aimed against the threat of Dr. Milner and Dr. Troy of breaking communion with the English vicars apostolic. Dr. Moylan, however, said that he could not carry back to Ireland so vague a declaration; and Milner added that it would expose them to universal ridicule. The meeting therefore came to an end without having passed any resolution; but before the bishops rose Dr. Poynter informed Dr. Moylan that he had put his sentiments into writing, in the shape of a letter which he would deliver before they broke up, requesting that it should be shown to Dr. Troy. He likewise sent a copy to Dr. O'Reilly. The next morning the visiting bishops took their departure, and shortly afterwards Dr. Moylan returned to Ireland.

The following is the text of Dr. Poynter's letter:—[1]

"My dear Lord,

"I beg leave to assure your Lordship that I and my venerable colleagues have long lamented no less than your Lordship the misunderstanding that has existed between certain Catholic Prelates of Ireland and three of the Vicars-Apostolic of England. Convinced that this misunderstanding originated in a misconception of our conduct and motives, and desirous of ever cultivating the most perfect union with our respected Brethren the Irish prelates, and our colleague the Right Rev. Dr. Milner, I rejoiced to have an opportunity of mutually explaining our sentiments and conduct with your Lordship and Dr. Milner, in the hope that a right understanding would be established amongst us.

"From the conversations we have held with your Lordship and Dr. Milner, I am confident that you are now convinced that it has been and is a settled principle with us, that any measure tending to innovate on the established mode of appointing Catholic bishops would, without the consent of his Holiness, be an invasion of his prerogative, and an act of itself void and of no effect; and that we, the Vicars Apostolic of the Northern, Western and London Districts (the same is to be said of the late lamented Vicar Apostolic of the London District, the Right Rev. Dr. Douglass) never have pledged, nor do intend, nor ever did intend to pledge ourselves to any such measure, or even to treat on any such subject unless previously authorised by his Holiness so to do. I trust we have sufficiently convinced your Lordship that it is and ever has been our determination and endeavour to support the supreme dignity and authority of Pope Pius VII., the true and lawful successor of St. Peter, to the best of our power; that we ever have been and are resolved to be, with the assistance of Divine Grace, vigilant in preventing and firm in resisting any innovations or measures prejudicial to the Unity or Authority of the Catholic Church, to the sacred rights of the Apostolic See, or to the integrity or security of our holy Religion in its faith, morality or discipline; that we have never admitted without

[1] *Westminster Archives.*

due satisfaction[1] and further declare that we never will admit without such satisfaction to the exercise of sacerdotal functions any person who has been proved or notoriously suspected, or who shall be proved or notoriously suspected to have asserted by word or writing that Pope Pius VII. is a heretic or schismatic, or an abettor of heresy or schism.

"These are the sentiments by which we have all along been guided (as was also the late Dr. Douglass), in which by the Grace of God we hope to persevere, and from which we have not swerved in our conduct, as we trust your Lordship must now admit, after the explanations we have had the honour to give you. I feel confident that your Lordship's candour will induce you to declare to your Venerable Brethren, the Prelates of Ireland, that you are convinced that the unfavourable impression which unhappily existed to our prejudice in their Lordships' minds, was produced merely by a misconception of our conduct and its motives.

"We entreat your Lordship to assure our Venerable Brethren the Catholic Prelates of Ireland that we embrace them in sincere sentiments of charity, union and peace, and that we shall be most happy in confidentially corresponding and cordially concurring with their Lordships on all matters in which the common interests of our holy Religion are concerned.

"I beg your Lordship to be assured that I feel most happy in every communication with your Lordship, and that I shall ever remember with the highest satisfaction the kind and mild attention which you have paid to our explanations, in the view of removing all misunderstandings and of uniting us all in the most perfect harmony and concord.

With sentiments of the highest esteem and respect, I have the honour to be, my Dear Lord,

"Your Lordship's most obedient humble servant,

"WILLIAM POYNTER.

"DURHAM, *August* 23, 1812."

It will be seen that this letter contains all the distinct pledges contained in the statement which the vicars apostolic

[1] Milner complains that this word ought to be "retractation". He says it is so in the original, and accuses Dr. Poynter of falsifying the letter (see *Sup. Mem.*, p. 190). In justice to Dr. Poynter therefore it is well to say that in the original draft of the letter, now in the *Westminster Archives*, the word is *satisfaction*.

had been asked to sign, which Milner said would have led to complete restoration of harmony; but they were put in a manner to avoid any implication of censure on their past conduct; or rather they were coupled with the definite assertion that these had always been the principles on which they had acted. Milner was therefore quite dissatisfied with it, while neither of the three Archbishops to whom it was addressed replied to it, or even acknowledged its receipt.

The meeting of Irish bishops took place at Dublin on November 18, 1812. Bishop Moylan gave an account of his mission, and in particular stated that he had been told by Dr. Poynter that he was in possession of a formal retractation of his errors by Abbé de Trevaux. On learning this, the bishops unanimously passed the following resolution:—

"That we, having learnt with satisfaction from the Right Rev. Dr. Moylan and the Rev. Dr. McCarthy that the Right Rev. Dr. Poynter, Vicar Apostolic of the London District, had assured them at London and at Durham that Abbé J. de Trevaux had retracted his approbation of Blanchard's schismatical book entitled *Defense du Clergé*, we conceive it our duty to request, and we hereby most earnestly request, that the Right Rev. Dr. Poynter do favour us with an attested copy of the said J. de Trevaux's Retractation, that we may communicate it to our respective clergy for their edification and instruction."

In reply to this Dr. Poynter wrote a long letter dated Castle Street, January 18, 1813, which was afterwards printed. The most important parts are contained in the following paragraphs:—

"I cannot but lament that after all the explanations we have given of the case of Abbé J. de Trevaux and of Dr. Douglass's conduct relative to it your Lordships should have thought it necessary to revive this subject, by calling for the documents in question. I cannot imagine that the production of these papers is at all necessary for the edification and instruction of the zealous and learned Catholic clergy of Ireland; but I feel convinced that satisfactory as these documents are to those who have read them, and who attend to the true state of the case, they would be made an occasion of fresh disputes which would disturb the peace of our Churches, would

disedify the faithful and would afford amusement and gratification to the enemies of our holy religion. . . .

"Whether the judgment which Dr. Douglass, as Vicar Apostolic and official judge, passed on the case of Abbé J. de Trevaux and of the nature and extent of the satisfaction or retractation to be required was true and just or not, it belongs not to me, but to a higher tribunal to examine, judge and pronounce. I may inform your Lordships that this cause has been communicated to that tribunal. I am persuaded your Lordships will not think me authorised under these circumstances to publish the documents left by Dr. Douglass relative to it, nor to revise the judgment passed by Dr. Douglass."

Unfortunately the judgment of the Holy See could not be obtained at that time, owing to the disturbed state of Europe. The Pope was a prisoner at Savona; the cardinals were in exile in France; and the work of the Roman congregations was almost at a standstill.

In his Lenten pastoral that year, Milner returned to the charge. He added two supplementary pamphlets which he designated Part II. and Part III. respectively, addressed to the clergy. In the latter he once more gives an account of the Blanchardist Schism and the case of Abbé de Trevaux from his own point of view, and repeating his assertion that the resolution as to the test agreed upon in 1810 had been "suppressed" by Dr. Douglass. He adds:—[1]

"We hereby protest against the suppression of that Resolution in the London District as a fatal weakening of the cause of unity, as a desertion of us in our bounden efforts to defend it, and as a disrespect to us, being the second Vicar Apostolic in seniority and rank,[2] especially as this infraction of a unanimous synodical resolve has taken place without any information given to us as to the cause or motives of it."

At the end of the pastoral Milner added a postscript, giving an account of the mission of Dr. Moylan and the Durham meeting. He took the strange course of transcribing Dr. Poynter's letters to the Irish bishops alluded to above, and

[1] P. 21.

[2] At the date when the Trevaux case arose Dr. Milner was the junior vicar apostolic; but by the time this pastoral was written, two of the bishops—Dr. Sharrock and Dr. Douglass—had died and been succeeded by their coadjutors, who were junior to Dr. Milner.

inserting his own comments and "refutations" between the successive sentences, producing a very extraordinary result. Two quotations will suffice to give an idea of the effect produced, the first from Dr. Poynter's letter to Dr. Moylan handed to him at Durham; the other from his letter to Dr. Troy in reply to the resolution of the Irish bishops in synod.

DR. POYNTER TO DR. MOYLAN.

"*August* 23, 1812.

"MY DEAR LORD,

"I beg leave to assure your L——p that I and my Ven. Colleagues have long lamented no less than your L——p, the misunderstanding that has existed between *certain* C. Prelates of Ireland, and three of the VV.A. of England." [This insinuation occurs also in your correspondence with Dr. Troy: but pray, R. R. Sir, was there *one dissenting voice* in the Synod of Feb. 26, 1810, against that vote of thanks to me, for opposing your 5th Resolution, which vote was the precise ground of the attack you commenced upon them in your letter to Dr. T. of Aug. 9, 1810? Again had not *all those Prelates* concurred in an unequivocal public censure of that schismatical doctrine published by Blanchard and openly approved of by Trevaux, which you still countenance him in openly approving of?] "Convinced that this misunderstanding originated in a *misconception of our conduct* and motives, and *desirous of ever cultivating the most perfect union* with our respected Brethren, the Irish Prelates and our colleague the *R. R. Dr. Milner*, I rejoiced to have an opportunity of mutually *explaining our sentiments and conduct* with your L——p and Dr. M., in hope that a right understanding would be established." [*Misconception;* this is again insinuating what you so often signified in your above-mentioned correspondence, namely that you, R. R. Sir, were *suddenly enabled at the St. Albans Tavern* to understand the meaning and tendency of the 5th Resolution respecting a change in our discipline *for securing the Protestant Establishment*, better than a *National Synod* of Irish Bishops could do, after *long consultation*, and that the Metropolitans with four other Prelates of Ireland *erred* in their deliberate decision, Oct. 21, 1811, concerning the fautoring of Blanchardism in the person of Trevaux. *Desirous of cultivating the most perfect union*, etc., and yet you adopt a public measure

affecting Catholic unity which defeats our combined efforts to preserve it, and this without the smallest previous communication with us on the subject. *Desirous of union*, and yet you definitely refuse to let us so much as see the document on which you profess to have acted this strange part, at the very time when you told us it was lying with other papers on the table before us! *Desirous of union* at the self-same time that you reject a specific plan offered you for effecting it, to which you neither did nor could make the least plausible objection! "*Desirous of cultivating union with Dr. M.*" [here I dare not trust my feelings] "*We rejoiced to have an opportunity of explaining*"—did we then travel so many hundred miles to have an opportunity of *explaining* our differences? No, we met together to *heal* them. As to explanation, there had been more than enough of that commodity in your correspondence with my Irish brethren and myself. There had also been a great deal of it recently in your conference with the Bishop and Dean of Cork. *Explanation*: this was what Mr. C. Butler was always harping upon in defence of his condemned oath 22 years ago. All his *Red Books* and *Blue Books* consist of nothing else but explanation.] . . .

DR. POYNTER TO DR. TROY.

"*January* 18, 1813.

"I cannot but lament that after all the *explanations we have given* of the case of A. I. de Trevaux, and of Dr. D——'s conduct relative to it, your L——ps should have thought it necessary to *revive* this subject by calling for the documents in question." [You see, R. R. Sir, what little disposition there is in the truly Catholic Prelates of Ireland to be content with roundabout *explanations*, when *positive acts* are necessary to establish and preserve Catholic truth and unity.—As to their *reviving* the affair of Trevaux, surely you forget that you had a little before sent them the above-mentioned document concerning it, to which their Resolution is an answer, and that in your letter to Dr. T. of Nov. 7, 1811, you say "You never will have done with the alleged interference of certain prelates in Ireland [alluding to this affair] till it is abandoned by them". Most assuredly those Prelates never will cease to repeat the above-mentioned Protest, that by the restoration of Trevaux *schism is openly countenanced*, till they have proof of his having

retracted it.] "*I cannot imagine* that the production of these papers is at all *necessary* for the instruction of the zealous and learned Catholic clergy of Ireland." [Is not this a manifest interference on your part in the province of these Prelates? They say that their Clergy, etc., are scandalised at the impieties of Blanchard, and still more that an open approver of them should be associated with them in the sacred functions of the ministry; and the Prelates unanimously declare that the publication of this approver's retractation is necessary to repair the scandal which has been given to their Clergy, while you here in print tell them that this *is not necessary* for the said purpose!] "I feel convinced that *satisfactory* as these documents are to those who have read them, and who *attend to the true state of the case* [this is admitting that they are not satisfactory in themselves] they would be made the occasion of *fresh disputes* which would *disturb the peace* of our churches, would *disedify the faithful*, and would afford *amusement* and *gratification* to the *enemies* of our H. Religion." [Each character which you yourself give of these documents is a fresh proof of their unsatisfactory nature.]

We will add one more passage, containing the accusation alluded to above. Dr. Poynter had in justification of the action of Bishop Douglass in regard to Abbé de Trevaux written two paragraphs, appealing to the conduct of Pope Pius VII. in reconciling the schismatic constitutional bishops without formal retractation, on the ground that it was notorious that they had made proper submission. Milner replies:—

"[In fairness to Dr. P. I have given the whole of these two long-winded scrambling paragraphs, in which there is a vast deal of false reasoning and misstatement which it would take up a great many pages to unravel and refute; instead therefore of stopping to do this, I will at once sweep down the whole cobweb texture by the following obvious principle. In case his Holiness had taken no precautions at all to demonstrate to the world that the partisans of schism had really renounced it (and yet I have heretofore proved that he took abundance of them by acts as well as by words), yet the simple circumstance of their *being in his communion* would have been proof enough of this; because *the Pope is the Centre of Catholic Unity:* but this is not the case with a London Vicar Apostolic because he may become a fautor of schism, or even a schismatic. . . .]"

CHAPTER XVII.

THE CATHOLIC RELIEF BILL OF 1813.

DURING the early part of the year 1813 there was much activity among English Catholics, in view of the hoped-for measure for their relief in the House of Commons. Charles Butler issued a long Address to the Protestants of Great Britain and Ireland, by which he endeavoured to convince them that the proposed concessions would not act in any way detrimentally in their regard.[1] The Catholic Board also issued an Address to their fellow-subjects, giving the text of the oaths and other tests of loyalty freely accepted by Catholics.

These measures, however, were only partly successful, and a long stream of petitions came pouring in from all parts of England, protesting against the removal of any of the existing Catholic disabilities. Numerous cathedral chapters, with deans, archdeacons and other dignitaries of the Established Church signed petitions, and they were joined by the Universities of Oxford and Cambridge, and the mayor and aldermen of most of the chief cities of England, as well as some in Ireland, the total number of petitions exceeding 150.

Needless to say, petitions likewise arrived from Ireland on the Catholic side. The English Catholic Board also prepared one, and in order to help towards unity of action with their Irish brethren, they incorporated in it a new resolution, consisting of the first half of the old Fifth Resolution—to which part no exception had been taken—followed by a second part almost the same as the Sixteenth Resolution of the Irish bishops belonging to the same epoch.[2] The wording of this part ran as follows:—

"That no spirit of conciliation shall ever be found wanting on their parts; and that they seek for nothing beyond the

[1] This Address is given in full in the *Historical Memoirs*, iv., pp. 197-227.
[2] See i., p. 143.

mere integrity and safety of their religion in its Christian faith and Communion, and in its discipline, subordination and moral code".

When this was proposed, however, it led to a marked difference of opinion, and a sharp contest. Mr. Bramston contended that the first sentence was a distinct promise, and that it went beyond anything in the old Resolution. "The Fifth Resolution," he said, "contained neither promise nor pledge—I am sure of that, and not a jot less so because [Bishop Milner] would declare that in that Resolution a promise or pledge was involved." He urged that in the Irish Resolution the past tense had been used—"no spirit of conciliation *has* ever been wanting on our part"—by which anything of the nature of a pledge had been avoided. He advised Dr. Poynter to attend the preliminary meeting of the chief Catholics to which he had been invited. "Go" (he said), "not with fear and trembling, but with caution and firmness, saying nothing to commit yourself, but as much as you please in proof of your desire to serve them and their families by preserving for both the sacred deposit of Catholic faith in all its purity." [1]

Dr. Gibson and Dr. Collingridge both wrote against the proposed resolution. Dr. Poynter begged the latter to come to town. "I feel myself placed in a difficult situation," he wrote, "with Government on one side, Dr. Milner and the Irish Bishops on the other, and the English Catholics standing between, but all waiting to see what we shall say to the proposal of arrangements." [2] For a time there seemed to be danger of a disagreement between the Board and the bishops similar to that between the Catholic Committee and the bishops in 1791.

The danger was fortunately averted, partly by the tact of Dr. Poynter, partly by the good sense and restraint of some of the laymen, of whom Lord Clifford was the chief. Dr. Poynter first assembled the most prominent of the London clergy and addressed them. We can give the substance of what he said from a letter written by him to Bishop Collingridge on February 4, 1813:— [3]

"I was yesterday," he wrote, "in company with a great many, and those the principal of our clergy. I expressed, as

[1] *Westminster Archives.* [2] *Clifton Archives.* [3] *Ibid.*

I have done to several, my disapprobation of the introduction of arrangements or any allusion to them. I declared to them that I would not go to the meeting unless at least your Lordship and Bishop Gibson should be with me there; and that it would be improper for the clergy to vote on any religious matters with the laity, as they would be outvoted by numbers. I was assured that they would all stand by me and that they would not go or act but after me. Their attachment and determination was very consoling to me."

On February 6, Dr. Poynter attended the preliminary meeting of laymen as arranged. We can give the substance of his own remarks—which constituted an important pronouncement—again from a letter of his to Bishop Collingridge:—[1]

"I said a few words to say that we Bishops should be happy to promote the attainment of the objects of our petition, as far as is in our power; that we wished to see the petition so drawn up that there should not be a clause or a word of an ambiguous nature, or that could be made an occasion of dispute or dissension among the Catholics; that I should do nothing but in unison at least with your Lordship and Bishop Gibson; that I should not give my approbation to anything till I had consulted you; for that reason I had not held up my hand when matters were put to the votes, and should not attend the meeting on Monday; that if we were anxious to preserve the integrity and safety of religion and to keep our spiritual powers totally independent of the control of the civil power, especially a civil power hostile to the Catholic religion, it was out of a motive of fidelity to Christ and the people under our care; that religion, a most precious treasure, was a sacred deposit committed to our trust. I mentioned in particular, by way of showing that it was for their benefit that we exercised our powers, and that they should never think of seeking to subject them to the civil power, that our correspondence with Rome was for the spiritual necessities of the faithful; that we wish to keep it secret for the honour of those whose cases and difficulties we have sometimes to state, and that we should feel great pain for their sakes if our letters were read by the ministers or clerks of the Foreign Office.

[1] *Clifton Archives*,

Hence whilst we petition for Emancipation we must not admit religious restrictions."

Later on in the same meeting Dr. Poynter made a further pronouncement, of which also he gives the substance:—

"I spoke again and said that I conceived it was understood by all that whatever related to religion should be referred to the judgment of the Bishops. I said that the Vicars Apostolic would never forget the glorious declaration made and confirmed by the applause of the whole meeting on the 1st of February, 1810, that the gentlemen would not give up one particle of their Religion for all the advantages of the Emancipation, and that if any proposal should be made relating to religion, it should be referred to the judgment of the Vicars Apostolic, and that the Gentlemen would be guided by their decision." He adds, "As soon as I said this, I heard various expressions of approbation of the same, and it was said, 'these are the sentiments of every Catholic'".

Two days after this—on Monday, February 8,—the meeting of the Board took place. None of the other vicars apostolic being in town, it became a question whether Dr. Poynter should attend. The question was solved by his being confined to his room by indisposition. The meeting proved very contentious. By a curious irony, those who were willing to accept any conditions—veto or other—imposed by Government, were the very men who were upholding the Resolution founded upon that of the Irish bishops; while the vicars apostolic and those who sided with them were opposed to that Resolution as committing them too far. Dr. Poynter again describes what took place in a letter to Bishop Collingridge. "The meeting was very tumultuous," he wrote; "Your Lordship's letter to Mr. Jerningham was read to the meeting by Lord Clifford and it had a great effect. Amendments upon amendments were proposed upon the last clause, about legislative enactments, and they were all at last set aside. It ended by throwing out the last clause entirely, and resolving that another meeting should be held the next day."

At the adjourned meeting a better spirit was shown. The clause which was the subject of dispute was withdrawn, and the following substituted:—

"Your Petitioners also humbly conceive that further secu-

rities cannot reasonably be required from them; but this, with a perfect spirit of conciliation, they leave to the wisdom and decision of the legislature, feeling confident that the legislature will never undo or render nugatory its own work by accompanying the relief granted with any clause or clauses to which your Petitioners cannot conscientiously assent."

The petition was eventually signed by over 11,000 persons. The vicars apostolic held aloof; but there was no outward rupture between them and the Board.

Ten days after this a curious conference took place, organised by a certain number of Catholic laymen, headed by Lord Clifford and Mr. Thomas Stonor, with the purpose of effecting a reconciliation between Milner and Charles Butler. They afterwards published a printed statement of what occurred, the accuracy of which was vouched for by the signatures of the two organisers. The conference took place at Lord Clifford's town house in Portman Square on February 19, 1813. Charles Butler opened the business by enumerating various accusations which the bishop had made against him in recent years, it being agreed that no mention should be made of the old disputes with the Catholic Committee connected with the Protestation and the Blue Books. After a long discussion, according to the printed statement, "It appeared to the satisfaction of every one present, and was admitted by Dr. Milner, that the charges . . . were wholly founded in mistake"; and "on the recommendation of the parties present, Dr. Milner and Mr. Butler agreed to forget all past differences and co-operate in amity for the general good".

It appears from a letter of Dr. Poynter describing the conference that a reconciliation was effected also by Bishop Milner with Edward Jerningham, and with the members of the Catholic Board generally. He even "requested that the vicars apostolic should be constituent members of the Board; in short that they should be in the same relation to the English Catholic Board that the Irish Bishops are in this respect to the Irish Board". "To the last part," Dr. Poynter adds, "all agreed as reasonable. On Wednesday next the Board will be new organised and the vicars apostolic will be acknowledged as constituent members."

The news of the reconciliation of Milner and Charles Butler

caused universal surprise and rejoicing. Unfortunately, however, the very success of the conference proved the means of undoing its work. For it was in consequence of the general harmony that Lord Clifford and Mr. Stonor were induced to print their statement; and at this Milner took offence. He issued a "Re-statement of the Conference," headed by the text, "What one man forgets, another man may remember—Common Sense". In the Re-statement, after asserting that Charles Butler had been "prodigiously agitated," he endeavoured to show that the whole Statement was inaccurate, and that there had been no reconciliation. He said that there were many other charges, which he might levy against Charles Butler, more serious than those brought up at the conference, and proceeded to discuss once more the whole question of the Protestation and the Blue Books, although these had been omitted from the conference "by general consent". The "Restatement" in fact was more than ten times as long as the "Statement".

In the month of February, Grattan moved his usual resolution in the House of Commons, on behalf of the Irish Catholics. On this occasion, however, in consequence of the vote of the House on Mr. Canning's motion the previous June, Grattan felt so confident of success that he had already joined in steps to arrange for the preparation of a bill for Catholic Relief. For this purpose a small Committee was appointed, consisting of Mr. Grattan, Mr. Ponsonby, and Mr. Elliott. They commissioned Charles Butler to draft the bill subject to the following provisions:—

1. That the Protestant Church must be maintained.

2. That the succession to the Crown in the person of a Protestant prince must be maintained.

3. That the repeal of the statutes imposing disabilities on the Catholics are consistent with both.

4. That there are nevertheless certain exceptions to the universality of that repeal.[1]

While the bill was preparing, on February 25, Grattan moved his resolution. A long and strenuous debate followed, spread over four evenings. The division took place on March 2, when the voting was: Ayes, 264; noes, 224; a majority of

[1] See letter from Lord Clifford dated February 18, 1813 (*Clifton Archives*).

40 in favour of the Catholics. On March 9, the House having resolved itself into Committee, Grattan moved further that it was desirable that all Catholic disabilities should be abolished, subject only to such "securities" as were deemed necessary to protect the succession of the Crown and the safety of the religious Establishment. The Speaker (Right Hon. Charles Abbott), always the uncompromising opponent of Emancipation, took the unusual course of addressing the Committee in order to protest against what was proposed.[1] Dr. Duigenan also spoke against it, while Mr. Ponsonby, Sir John Coxe Hippisley, and Lord Castlereagh spoke in its favour. The motion was carried by 186 votes to 119—majority 67.

On March 13—four days, that is, after the passing of this motion—the Catholic Board held a meeting at which they passed two Resolutions. The first was a vote of thanks to the House of Commons; the second was a promise on their part to offer every facility for helping forward the bill, and to be ready "to make any sacrifice that is not inconsistent with their religious principles". At the same meeting a scheme was formed to promote the free distribution of the Scriptures among Catholics, which afterwards developed into a Bible Society; to this we shall have to give our attention later on.

In view of the result of the debate on Mr. Grattan's resolution, it was considered unnecessary to present the petition of the English Catholics to the House of Commons. It was, however, presented—in a slightly modified form—to the House of Lords by Earl Grey on March 20. No debate took place, as it was understood that a Catholic Relief Bill was in preparation. The bill was brought into the House of Commons by Grattan on April 30, when it was read the first time, and ordered to be printed.

But at this period an unlooked for difficulty arose. Sir John Coxe Hippisley had proposed that, before proceeding to legislation, they should appoint a Select Committee to examine and report on the state of English and Irish Catholics, on the laws as they then stood in their regard, and especially on their intercourse with Rome in the appointment of their bishops

[1] Although it was unusual for the Speaker to intervene in a debate in a Committee of the whole House, it was not unprecedented, and Mr. Speaker Abbott had himself done so more than once (see May's *Parliamentary Practice*, eleventh edition, p. 368).

and for other purposes. This, if carried, would have postponed the bill till the following year at least, and the Catholics therefore resented Hippisley's action. His object was of course eventually to press his own scheme for veto and *exequator*. Milner suspected that there was an ulterior aim, and that he was endeavouring to make himself a kind of recognised representative and advocate of Catholics. The bill would hinder this, by giving them their own representation, and he declared it was for this reason that Hippisley was anxious to prevent it from passing. Quarrels and dissensions had in fact arisen between these two, and the rupture being complete, Milner wrote vehemently against him. Hippisley retorted by publishing a collection of Milner's letters to him in bygone years, designed to show that he (Milner) had completely veered round in his politics, and in his feelings towards himself. Most of these letters we have already had occasion to quote. Other questions soon arose to accentuate the differences between them, and they became open enemies to one another.

Sir John Coxe Hippisley's notice of motion was given on April 27—three days before the first reading of the Relief Bill. Hence the motion itself, which was fixed for the same day as the second reading—May 11— took precedence. Mr. Grattan moved as an amendment to proceed to the Orders of the day. A long debate followed, in the course of which Mr. Canning made one of his best speeches against the motion. When he sat down, the House divided on Mr. Grattan's amendment, which was carried by 235 votes to 187—majority 48. The ground being now cleared, two days later, on the 13th, the second reading of the bill was moved by Grattan. It was opposed by Dr. Duigenan, who moved that it be read that day three months. The House divided on his amendment, with the result—Ayes, 203 ; Noes, 245 : majority, 42. The bill was then read a second time without a division.

We can now proceed to consider its nature and its provisions.

The bill as first drafted was a comparatively short one, giving Catholics practically all they asked for. They were to receive the franchise, to be allowed to sit and vote in Parliament ; to hold any offices in the army or navy, or city corporations, and could be justices of the peace. The only offices

from which they were excluded were those of Lord Chancellor and Lord Lieutenant of Ireland; while they were also to be disqualified from presenting to livings in the Established Church.

The only condition to be exacted was that they should take a somewhat lengthy Oath, more stringent in its terms than that which they had previously taken.[1] The framing of an Oath of Allegiance in suitable and exact terms is always a matter of difficulty even to the most skilled draftsmen, and every such oath offered to Catholics has led to subsequent discussions as to its lawfulness. The present Oath would probably not have been an exception to this rule, had the bill passed. Milner, indeed, asserts that "besides a profession of civil allegiance, it contains alleged tenets of the Catholic faith on ten different articles, all of them more or less inaccurately and some of them erroneously expressed".[2] Butler says that it was based on the English Oath of 1791 and the Irish one of 1793.[3] On the whole it seems to resemble the former most, but it contains a specific pledge not to attack the Established Church which is found only in the latter.

There was no mention of any "veto," or *exequator*. The only "arrangements" were such as it was thought no one would object to. The clergy were to take an Oath that they would "never concur in or consent to the appointment or consecration of any Roman Catholic Bishop or Dean or Vicar Apostolic in the United Kingdom but such as [they] shall conscientiously deem to be of unimpeachable loyalty and peaceable conduct"; and that they would not have any correspondence with Rome, "tending directly or indirectly to overthrow or disturb the Protestant Government, or the Protestant Church"; or "on any matter or thing not purely spiritual or ecclesiastical". Milner complained that by this "they would have been precluded from corresponding with all foreign Prelates in every part of the world on subjects of literature, health, civility, etc., as well as on professional business".[4] This, however, need not necessarily be inferred. It is reasonable to suppose that the proposed provision concerned only their official correspondence. This was to be "purely spiritual or ecclesiastical"; in other words, it was not to have any bearing on politics.

[1] The text of the Oath will be found in the Appendix (Vol. III.).
[2] *Sup. Mem.*, p. 197. [3] *Hist. Mem.*, iv., p. 243. [4] *Sup. Mem.*, p. 197.

One other "arrangement" was inserted in the bill, providing that no foreign priest was to be raised to the episcopate within the United Kingdom; nor any priest who had not resided in England for at least the preceding five years.

The debate on the second reading of the bill was, as we have seen, put off for two days in consequence of Sir John Coxe Hippisley's motion; but on the day originally fixed—that is May 11—Mr. Canning gave notice that in order to carry out the spirit of the bill, he intended to move for the insertion of new clauses, consisting of provisions for "securities," including both veto and *exequatur*, but in a new form which he hoped would be free from some of the main objections previously urged. Briefly, he proposed to form two commissions, for England and Ireland respectively, consisting chiefly of Catholic peers, or commoners of property and standing, to advise the king on the election of bishops and deans, and to inspect any bulls or dispensations received from Rome. In the former case they were to certify to the candidate's loyalty and peaceable conduct; in default of which he was not to be allowed by the king to exercise the function of a bishop, under penalty of being sent out of the kingdom. In the latter case the commission was to certify that the communication from Rome had no reference to loyalty or other temporal concerns, before it could be put into execution. A proviso was added that if the bishop receiving such bull or other instrument could certify on oath that it concerned only spiritual matters, this would exempt it from examination. The commissioners were not to receive any salaries; but £1,000 was to be put aside annually for the expenses of their work.

There can be no doubt that Canning acted with good intentions. It was his ambition to solve the Catholic question, which had baffled so many eminent statesmen. He saw the difficulties which surrounded it and put forward the clauses as an attempt at a compromise. He considered it necessary in order to silence the opponents of Emancipation to include in the bill some proposal for "securities," while after all the discussion and agitation which had taken place on the veto question, he saw the futility of bringing it forward in its old form. He therefore conceived the idea of giving a full veto and *exequatur* to satisfy his opponents, and so controlling it that it should

be exercised only on the recommendation of a Commission composed mainly of Catholics. By this he hoped he would be meeting the chief objection which they might feel to the veto itself, which was that of placing some part of the power of nomination of their bishops in the hands of Protestants. In truth, however, in offering this arrangement he was introducing a totally new objection, by putting the laity in a sense over their bishops, in a manner which the Church could not tolerate; and this at a time when there had been great difficulties among the English Catholics on the very question of the relation between the bishops and the laity. When this was pointed out to him he had already committed himself to the outline of his scheme. In consequence, he sought to meet the difficulty by modifying the composition of the commissions.

There had in fact been a certain amount of informal communication on the part of Mr. Canning with Dr. Troy, and apparently also with Dr. Poynter, with respect to the constitution of these commissions. Of the former we learn in a letter of his to O'Connell, dated Cavendish Row, Dublin, June 4, 1813. The following is an extract from it:—[1]

"I was honoured with a letter on the 2nd of April from a noble Lord (Donoughmore) communicating manuscript heads of Mr. Grattan's bill, and of Mr. Canning's *projets* of intended clauses. In my reply to his Lordship of the 12th, after consulting with the parish priests of this city, I deprecated any lay interference not authorised by the Church, in the appointment of our Bishops; and particularly objected to the proposed inquisitorial, close, absolute and summary commissions or Boards of five lay persons, however respectable from rank and character, without responsibility, as an *imperium in imperio*, and a kind of lay eldership unknown in our Church government.

"On the Sunday before Lord Fingall's departure for England, I observed to his Lordship that the exclusion of the Bishops from the proposed commission was insulting to our clergy, as intimating a suspicion or doubt, if not an affirmation of their disloyalty, and gave him a short hasty written memorandum to this effect, of which I have not a copy.

[1] *Dublin Archiepiscopal Archives.* There is also a contemporary copy of this letter among the *Westminster Archives.*

"On the 7th ultimo I received a note from Mr. Canning of the 3rd, stating that he had forwarded his printed clauses by the same post. I replied on the 7th that I had not yet got them, and on the 8th acknowledged the receipt of them. The *projet* respecting the two commissions was altered in the printed clauses by the insertion of four additional commissioners, the Lord Chancellor, the Chief Secretary, and of two Catholic Archbishops; and by proposing that one of the three composing the quorum should be a Protestant. When acknowledging the receipt of the printed clauses, I remarked to Mr. Canning, 'that the Inquisitorial commissions proposed to be established had occasioned much uneasiness and excited alarm amongst the Roman Catholic clergy and laity of Ireland, particularly the former; that I had objected to them if even composed only of Catholic Prelates; and protested against them in the name of my brethren in my communications with Lord Donoughmore, and declared that if ever admitted, they should be respectively composed of a majority of Prelates, or at least of an equal number of Peers and Prelates; that no change or alteration in our present discipline respecting the appointment of Bishops could take place without the concurrence and sanction of the Pope, who is now inaccessible, and that for further particulars on the subject I begged leave to refer him to my letters to the noble Lord'.

"To this letter Mr. Canning replied on the 12th, and remarked 'that his communication to me of the clauses he intended to move in addition to Mr. Grattan's bill was made as a matter of courtesy, and not for the purpose of consultation, that it was always his principle that Parliament should decide, not that Roman Catholics should dictate, the terms of any Act to be passed for their benefit; that on this principle he must decline taking upon himself to announce what I called a protest against the clauses intended to be proposed in the Committee, the language of Protest not being in his opinion the language to be addressed to Parliament'.

"In my reply to Mr. Canning of the 15th I briefly assured him 'that in using the word Protest I did not intend any disrespect or dictation to Parliament or to himself, and that if my brethren should deem it expedient to approach Parliament, they would do it respectfully, and in the language of petition'."

On Thursday, May 19, the House of Commons went into committee *pro forma*, when Mr. Canning announced that his clauses had been withdrawn to be revised, in order to embody certain suggestions made by Lord Castlereagh, and he moved that the whole bill should be reprinted with the revised clauses incorporated in it. This was accordingly done the following day. A meeting was held of the original framers of the bill, together with Lord Castlereagh, Mr. Canning, and Sir Arthur Piggott, the last named of whom acted as secretary, and took down the clauses. It should be carefully noted that neither Charles Butler nor any other Catholic took part in the proceedings. Although the clauses were subsequently transmitted to Butler for revision and fair copy.[1]

In the final draft, each commission was to consist of five Catholic peers or rich commoners, and one or more Protestant Privy Counsellors together with the Vicar Apostolic of the London District for the English commission, and the Archbishops of Dublin and Armagh for the Irish.[2] Thus they were still predominantly composed of laymen, and although the presence of a bishop would have been some check upon their action, in solid voting power the laymen would have been supreme.

In actual operation much would have depended on the meaning to be assigned to the phrase "relates wholly and exclusively to spiritual concerns," which was to exempt any document from inspection. If this be taken broadly, all ecclesiastical matters would fall under it, and the commission would have practically nothing to do beyond receiving frequent oaths that certain documents were of a spiritual nature. But there is reason to think that in the revised clauses the exemption was intended to be limited to really private matters, or, as theologians would say, those connected with the "*Forum*

[1] *Hist. Mem.*, iv. p. 253.

[2] The exact composition of each commission is left undetermined in the bill, and as in the event they were never nominated, the intentions of the framers were not published. The above proposed composition of them is given on the authority of Dr. Poynter. It appears, moreover, from a letter of Butler that it had been proposed to nominate as the lay commissioners for Ireland Lords Fingall, Kenmare, Trimmelston, Gormanston and Southwell; and for England the Earl of Shrewsbury and Lords Stourton, Petre, Arundell and Clifford.

Each commission was to carry out the double function connected with the veto and *exequatur* respectively in each country.

internum" *i.e.* the confessional. For in the original clauses the expression was that it related "wholly and exclusively to spiritual concerns," and did not "contain or refer to any matter or thing which does or can directly or indirectly affect or interfere with the duty and allegiance which I owe to his Majesty's sacred person and government, or with the temporal civil or social rights, properties or duties of any other of his Majesty's subjects". In the revised draft this was changed, and read that it does "relate wholly to the personal spiritual concerns of the party or parties in respect of whom it has been issued, and to no other matter or thing whatsoever; and is of such a nature that I do sincerely and conscientiously believe that I cannot according to the discipline of the Roman Catholic Church submit the same to lay inspection". This leaves room for a very large class of documents which would have been subject to the inspection of the commission.

The addition of the clauses made the bill as a whole absurdly inconsistent. First every priest was to swear an oath that he would not communicate with Rome except about spiritual concerns; then the Government were to show that, in the case of a bishop at least, they did not believe that Oath, by appointing a commission to examine all his communications; then finally if he swore that some particular communication *was* about spiritual matters, they were to believe him. The object of the whole procedure was to give some public guarantee that there should be no correspondence with a foreign power on political questions: to say the least, it was a cumbrous piece of machinery to gain this end. And, moreover, in spite of the ingrained prejudice still widespread among the uneducated, it is difficult to believe that a responsible minister would have had any serious apprehensions on this head.

Four days after the clauses were finally settled—that is, on Tuesday, May 25,—the Irish bishops met in Dublin. In point of fact the crisis had been reached in London the previous night; but they had no means of knowing this, and they drew out a pastoral Address to their flocks on the situation as it stood in London on the publication of the new clauses of the bill. The following paragraph in their address is to our present purpose:—

Lord Castlereagh

"We hasten to declare to you the lively feelings of gratitude excited in our breasts by the gracious condescension of our legislature in taking into its favourable consideration the disabilities which still affect the Catholic body. With these feelings deeply and indelibly impressed on our hearts, it is with the utmost distress of mind that we are compelled by a sense of duty to dissent (in some points connected with our Emancipation) from the opinions of those virtuous and enlightened statesmen who have so long and so ably advocated the cause of Catholic freedom.

"Probably from a want of sufficient information, but unquestionably from the most upright motives, they have proposed to the Legislature the adoption of certain arrangements respecting our Ecclesiastical discipline, and particularly respecting the exercise of episcopal functions, to which it would be impossible for us to assent without incurring the guilt of Schism, inasmuch as they might, if carried into effect, invade the spiritual jurisdiction of our Supreme Pastor, and alter an important point of our discipline, for which alteration his concurrence would upon Catholic principles be indispensably necessary.

"When the quarter is considered from whence the clauses have proceeded, it might perhaps be imagined, were we to continue silent, that they had our unqualified approbation: on this account we deem it a duty which we owe to you, to our country and to God, to declare in the most public manner, 'That they have not, and in their present shape they never can have, our concurrence'."

The Bishops proceed to profess their willingness to take any oath not inconsistent with Catholic principles, for the purpose of certifying their loyalty, and then passed the following three Resolutions:—

"1. That certain Ecclesiastical Clauses or Securities contained [in the Bill] are utterly incompatible with the discipline of the Roman Catholic Church, and with the free exercise of our Religion.

"2. That we cannot without incurring the heavy guilt of Schism accede to such Regulations, nor can we dissemble our dismay and consternation at the consequences which such Regulations if enforced must necessarily produce.

"3. That we would with the utmost willingness swear (should the Legislature require us so to do) 'That we never will concur in the appointment or consecration of any Bishop whom we do not conscientiously believe to be of unimpeachable loyalty and peaceable conduct'. And further, 'That we have not, and that we will not have, any correspondence or communication with the Chief Pastor of our Church, or with any person authorised to act in his name, for the purpose of overthrowing or disturbing the Protestant Government, or the Protestant Church of Great Britain and Ireland, or the Protestant Church of Scotland as by law established'."

Milner as usual attributed the whole scheme to "the theological lawyer of Lincoln's Inn"[1]—that is, of course, Charles Butler,—who, he says, "had been concerting for months beforehand" with Mr. Canning and Lord Castlereagh. We can give Butler's own answer to this charge, as given by him fifteen years later in Andrews's *Truthteller*.[2] After explaining that he had not even seen Lord Castlereagh's clauses until they were sent to him to be fair-copied on the day before they were introduced to Parliament, he proceeds:—

"With Mr. Canning's clauses I was more acquainted. In justice to the Board and the general body of English Catholics, I must observe that to the best of my knowledge I was the only English Catholic who saw anything of them before they were read in the House of Commons. I was consulted upon them throughout. But how consulted? Mr. Canning himself has explained that circumstance in one of his last speeches: merely in my professional capacity as a lawyer—on the nature of the laws in force respecting the intercourse between his Majesty's subjects and Rome, respecting the laws which must be repealed or enacted to render that intercourse lawful; and respecting the legal language in which the clauses affecting this should be worded."

In a letter to Dr. Troy written at the time, and before Lord

[1] *Sup. Mem.*, p. 196. See also a strongly worded letter from Milner to the *Statesman* of April 30, 1813. In this he says that he has heard of the scheme by rumour, and referring to Butler as its author, calls him "a marplot who has caused most of the confusion which has happened in the body to which he belongs for more than twenty years past". He adds "that the Bishops have the staff in their own hands—that they are neither to be bought nor intimidated, and that they are supported by the millions".

[2] February 9, 1828, p. 200.

Castlereagh's revision had been made, Butler gives his views on Canning's clauses themselves :—[1]

"The clauses were not imagined by me," he writes; "the only part I have taken in them is that finding that safeguards were absolutely required, I have worked day and night to bring them down to a form the least unpleasant to the Roman Catholics which those who require safeguards could be brought to endure. I wish this task had fallen to the lot of any other persons than myself; but various circumstances put it on me. . . .

"I beg leave, however, to add 1st that in practice the commission will prove a mere matter of form, a mere phantom: 2dly that it deserves consideration that if any bull or other instrument described by the Act should be obtained and not produced, it will be next to impossible to convict the party of it by legal evidence; and 3rdly that as the law now stands the obtaining of such a bull is in Ireland punishable by the forfeiture of all the party's real and personal estate, and by his being put out of the King's protection; and that in England it is high treason, so that even in such an extreme case as I have mentioned the Act will be beneficial to the party convicted."

In his *Historical Memoirs* he sums up his views on the veto as follows :—[2]

"Upon the whole, therefore, though the writer thinks vetoistical provisions unnecessary, and sincerely wishes that they should not be resorted to, he yet conceives that a vetoistical arrangement either formally approved, or impliedly but clearly acquiesced in by the Pontiff, would be a prudent and innocuous propitiation; a wise and lawful sacrifice for Emancipation. As such he wishes that if it be insisted upon, it should be accepted. Of this he is quite certain, that those who proffer it mean us well."

A few words must now be added on the attitude of Dr. Poynter. He professed to agree substantially with the Irish bishops, and he expressly declared that he was strongly opposed to giving his concurrence to the clauses if it could possibly be avoided. He drew a distinction, however, between giving concurrence to them, and submitting to them if imposed.

[1] *Dublin Archives.* [2] P. 257.

In a letter to Rev. P. Macpherson, a month later, he writes as follows :— [1]

"It should be observed that the clause was the deed of the legislature, not of Catholics; and the question is whether we could *submit* to this penal law, and whether it would be an act of Schism for a Catholic peer or a Catholic Bishop to act as Commissioner merely for the purpose of ascertaining the loyalty of a person nominated to be Bishop".

Apparently Dr. Poynter considered that it was practically impossible to oppose the Bill as a whole, and thought that the only course was to try and improve the constitution of the commissions. He had already secured some modifications, and hoped to obtain others. He adds in his letter that Dr. Troy had indicated that he would be satisfied if there were as many bishops as laymen, and from certain promises made by "the framers of the clauses," he himself was not unhopeful of obtaining this concession. The "framer of the clauses" here alluded to was probably Lord Castlereagh, with whom Dr. Poynter was already on good terms.

The statement that Dr. Troy was ready to accept the commissions provided that a sufficient number of bishops were placed on them rested on the authority of Sir John Coxe Hippisley, who said that the Archbishop had so expressed himself in conversation with him. As Dr. Troy's action was much canvassed, it will be well to give his own account, taken from his letter to O'Connell already alluded to, in the following words :—

"In some conversations on the subject with an honourable and worthy baronet, I urged the expediency and necessity of constituting Prelates members of any admissible Board in the extreme case that it would be insisted on as a *sine qua non* of Catholic Emancipation; and assured him that our Prelates were disposed to conciliate, and concede everything they could with the safety of Religion, under the sanction of the Pope. From this my admission of Prelates to compose a Board, he misconceived that I had assented to the Boards or Commissions in Mr. Canning's clauses. . . . But admitting that I had in hasty conversation with the Baronet expressed myself doubtfully, or even favourable to the proposed Board and

[1] *Westminster Archives.*

clauses, my brethren were not committed by anything I might have said or could say; nor precluded from deliberating in common and deciding as they have done."

We have seen the decision of the Irish bishops when they were all assembled. From the wording of the pastoral address, it is not quite clear whether they considered the clauses as they stood to be schismatical in themselves, or only so because they had not received the sanction of the Pope, which of course they never would have received. Most probably they would have said that the clauses as they stood were against Catholic discipline and practice; and it would appear from their second Resolution that they considered that the commissions could not be accepted at all without an act of schism.

Milner went further. He said that the clauses "attributed spiritual jurisdiction to a quarter in which it does not exist, and rejects it in another where it does exist".[1] This, however, is contrary to fact. No spiritual jurisdiction whatever was contemplated on behalf of the commissioners; it was fully understood that the Pope was to give canonical institution and all faculties as before. Any veto which might be put into force was not considered by any one as affecting a bishop's jurisdiction: it would have been merely a prohibition on the part of the civil Government under the penalty of being sent out of the kingdom. Bad as the bill was, it is for that very reason important not to exaggerate its evils. Still more exaggerated was Milner's language in the *Orthodox Journal* when he spoke of it as "that most infamous bill, the like of which was never devised by Cecil or Shaftesbury or Robespierre himself". "This bill," he continues, "was contrived with a heart and malice which none but *the spirits of wickedness in high places* mentioned by St. Paul could have suggested to undermine and wither the fair trees of the English and Irish Catholic Churches."[2]

[1] *Sup. Mem.*, p. 203. [2] *Orthodox Journal*, March, 1819, p. 105.

CHAPTER XVIII.

FAILURE OF THE BILL.

As soon as the Canning Clauses were in print, without a moment's delay Bishop Milner hastened to London, in his most militant attitude. "I shall be baited like a bull," he wrote,[1] "but I am ready to encounter the white bears of Hudson's Bay, and the kangaroos of Botany Bay rather than yield." He arrived in London on the evening of Wednesday, May 19. As the events of the next few days led to lasting results it will be necessary to follow them in close detail.

Milner's first act was to try to ascertain the attitude of Dr. Poynter. They had not met since the interview in August, 1811, when Milner threatened a breach of communion; and since that time he had written frequent denunciations of his brother bishop, so that there were the makings of a difficult and delicate situation. Milner, however, was not the man to let any feeling of delicacy stand in his way when the serious interests of religion were concerned, and he acted as though there had been no strain in their mutual relations. On the morning after his arrival in town, he sent the following letter:—[2]

"Dr. Milner presents his compliments to Dr. Poynter, and embraces this opportunity of sending a note to enquire of him whether he will join with Dr. Milner in openly opposing Mr. Canning's clauses?

"12 Titchfield Street, *May* 20, *Thursday*."

To this Dr. Poynter returned the following answer:— [3]

"My Lord,

"In reply to your Lordship's note in which you ask me whether I will join with your Lordship in openly opposing Mr. Canning's clauses, I beg leave to say,

[1] Letter to Rev. T. White, quoted by Husenbeth, p. 231.
[2] *Westminster Archives.* [3] *Ibid.*

"1. That I do not know what Mr. Canning's clauses are.

"2. That I should wish first to see the Irish Bishops joined with your Lordship in openly opposing them.

"3. That I am sorry to have to inform your Lordship that I am at present labouring under an indisposition which renders me unfit for any exertion. I hope your Lordship enjoys good health.

"I have the honour to be, my Lord,

"Your Lordship's most humble obedient servant,

"✠ WILLIAM POYNTER.

"CASTLE STREET, *May* 20, 1813."

Milner calls this answer "evasive," and doubtless it was intended to be so: Dr. Poynter's first statement was indeed technically accurate, for as we have seen, Mr. Canning's clauses were withdrawn on the 19th, and the new form of the bill was to be printed in the course of the following day, and would not have been in his possession till the 21st at the earliest; but it was known that the new clauses would be of much the same character as the old, and Dr. Poynter must at least have been aware of the general nature of the provisions which Milner wished him to join in opposing. On the following day, when the whole bill was in print, and copies obtainable, Milner wrote a second time, saying: "As by this time you must have seen what the clauses are, will you now at least join me in openly opposing them?" When this letter reached him, however, Dr. Poynter had not yet seen the bill. He was confined to his room that day by illness, and did not answer the letter. He could hardly have been expected, considering the way in which Milner habitually wrote of him, to look to that Prelate for advice, still less for leadership; but the chief reason for his inaction was, as he afterwards explained, that he was too ill to attend to any serious business.[1] He suffered from periodical attacks of an internal complaint which eventually put an end to his life. The attacks did not last more than one or two days; but they left him very prostrate for some time afterwards.

Finding himself left alone, Milner took the same course

[1] Milner speaks of him (*Orthodox Journal*, 1819, p. 105) as having been "reduced to death's door by the dread of [the bill]": that is of course an exaggeration.

which he had pursued twenty-two years before in the case of the Relief Act of 1791, and printed a fly-leaf with a view to distributing copies among the members of Parliament. The title was "A Brief Memorial on the Catholic Bill". The full text—with the exception of an important postscript to be alluded to later—can be found in Milner's *Supplementary Memoirs*.[1] Though written very hurriedly, it is a sound and forcible piece of argument, showing the inconsistency of the proposed provisions with Catholic discipline. Milner declares that they could not be agreed to without schism, for he contends that it is enacted that "persons in Holy Orders appointed according to the usages of the R. Catholic Church to exercise episcopal duties shall not be capable of exercising such duties, in whose favour a major part of the Commissioners shall have refused to certify their loyalty and peaceable conduct".[2]

The *Brief Memorial* was in circulation on the Saturday. There was therefore ample time to write an answer to it on the Sunday, and to print the answer on Monday before the hour for the debate in the House. This the members of the Board decided to do, and they produced a fly-leaf—apparently written by Charles Butler [3]—which professed to answer all Milner's arguments. It concludes with the following words:—

"It is hoped the legislature will proceed in its progress of benevolent concession, regardless of interference of unaccredited individuals".

The reader cannot fail to be reminded of the language used in 1791 when the Catholic Committee issued a similar document under analogous circumstances.[4] Whatever he might have thought of Milner's action, for a Catholic to call one of the four vicars apostolic an "unaccredited individual" is quite inexcusable.

In the meantime, Bishop Collingridge, like Bishop Milner, as soon as he heard of the Canning clauses, came to town. On the Friday afternoon they met accidentally in the shop of Mr. Keating, the Catholic bookseller, where Milner was

[1] Appendix F, p. 292. [2] *Brief Memorial*, p. 2.

[3] No name was given publicly, but on Dr. Collingridge's copy he has written "by S.," which was a signature often used by Butler.

[4] See *Dawn of Catholic Revival*, i., p 278.

engaged in correcting the proofs of the *Brief Memorial.* Milner asked Bishop Collingridge if he would concur with him in opposing the clauses, the revised form of which had just been published. We can give the answer of Bishop Collingridge from a minute which he made a few days afterwards. He writes as follows:—[1]

"I observed that Dr. Poynter had done, I knew, what prudence and zeal could do to get the clauses made palatable to Catholic tenets and discipline, that 'twas dangerous for us to take the lead, remembering what the result was of the misrepresentation concerning our Fifth Resolution. 'Then,' says he, 'you will not concur with me.' I gave him to understand not *then.*"

The same evening Milner wrote to Lord Clifford and Mr. Weld, saying that his colleagues would not concur with him and that he must accordingly act alone.

Dr. Collingridge made one more attempt to secure co-operation among the bishops, which again can be told in his own words:—

"Sunday, May 23rd, about 9 o'clock, or ½ past, I called at [Dr. Milner's] lodgings; was told he generally returned about 11; called again at 11, waited some time, left my address, and returning to Lincoln's Inn Chapel, found him at High Mass. In coming out of Chapel I requested to speak to him. He answered, coach is waiting at the door, he could not stop. I entreated he would for one moment speak to me, and in the court before the windows, taking him aside, I asked him how he could say we had refused to confer when we had never been asked. 'Confer?' said he, 'I said concur;'—and hurried off in the coach. . . . I told him as he was going into the carriage that if [he] wished for a conference, he had only to appoint a time.

"Next day, about eleven o'clock A.M., Mr. Blake called in to say Dr. Milner had the night before wrote to Lord Clifford to say he would meet me and Bishop Poynter at Castle Street at 1 o'clock, requesting Lord Clifford, Mr. Weld, and any other person or persons they might name, should be present, and accordingly the above-mentioned gentlemen assembled there."

[1] *Clifton Archives.*

Those alluded to were the Earl of Shrewsbury, Sir John Throckmorton, Lord Clifford, and his brother, Hon. Robert Clifford, Mr. Weld, Mr. Kiernan, Mr. Menzies and Mr. Blake, besides Bishops Poynter and Collingridge—all except the last named being members of the Scripture Committee of the Catholic Board. It appears indeed that Lord Clifford had this in view in appointing that hour; and Milner admits that his own object was to address the bishops in presence of some of the most prominent laymen.

Punctually at the time appointed he accordingly appeared, and walked straight in, without waiting to be announced. A stormy scene followed, which he has himself described. He began by producing a paper from which he read the following questions :—

"First, is there anything contrary to the integrity or safety of the Catholic doctrine or discipline, contained or involved in the Bill now before Parliament?

"Secondly, Can a Catholic Bishop or layman conscientiously accept of or act under the Commission proposed by the Bill?

"Thirdly, Is not an English Vicar Apostolic obliged to speak out openly, so as to be clearly understood by the Catholic public, and especially by the Legislature, in opposition to the Bill?"

Apparently at first the two bishops gave no answer, for they resented such questions being asked in presence of laymen. After a pause, Dr. Collingridge spoke, and again we can give his own account of what he said :—

"I publicly declared that I had decided and strong objections, some of a nature similar to Dr. Milner's, and others still stronger of a nature which he had not touched upon; but that situated as I was, hearing that Dr. Troy had already admitted the principle so objectionable in Bishop Milner's view of it, I thought prudence required I should abstain from public avowal of my objections till the Irish Prelates had given their decision, especially as Bishop Milner refused to state the documents on which he grounded his assertion that the Irish Prelates would oppose it."

Dr. Poynter added again that he hoped through the influence of a certain influential member of Parliament to obtain an amelioration of the clauses.

Then after another pause, Milner delivered his parting declaration, which can be given in his own words :—

"[He] then declared his Protest against the Bill as containing clauses contrary to the integrity and safety of the Catholic religion. He asserted moreover that no Catholic Bishop or layman could accept of a place in the commission proposed by the Bill without committing an act of Schism, and that no Catholic Bishop in particular could take the Oath proposed for a Commissioner without infringing his Consecration Oath. Lastly he maintained it as incontestable that if any two of the company present would go down to the House of Commons and inform Mr. Grattan that the Vicars Apostolic had found clauses in the bill incompatible with the integrity or the safety of the Catholic religion, it would even then be stopped in its progress."[1]

It is possible that Milner was right in his last statement, though considering the prejudice against him in the minds of the leading men in Parliament it cannot be accepted as certain. The other two bishops, however, saw grave future consequences attaching to such a course. It would, to say the least, have involved a permanent breach between themselves and all their friends in Parliament, and would have put off the prospect of Catholic Emancipation indefinitely, as Canning had declared in so many words that he would cease to support it, and if after that it had ever come, it would only have been by Parliament passing it without consulting the bishops. But in truth the real reason why they refused to act was that they had no confidence in Milner's leadership, and were determined to say as little as possible, so as not to afford him further pretext for writing against them.

Milner says that "When the above-mentioned assembly of Bishops and noble and honourable laymen broke up, the success of the Bill on its third reading was as confidently anticipated to take place in the course of a few hours, as the rising of the sun the next morning". It is astonishing how often in the various documents both in England and afterwards in Rome, the statement was made that the bill was about to come up for its third reading. Such, however, was not the case, as any one even moderately familiar with Parliamentary

[1] *Sup. Mem.*, p. 207.

usage will know, for during the debate the Speaker was not in the chair. In reality it was the Committee stage that was about to be taken. The difference is important, for on the occasion of the third reading a bill is in its last stage, and any opposition can only be made by a direct negative. When a bill is in Committee, however, it can be—and commonly is—substantially modified; and after that, on report, further modifications are not unusual, all before the third reading is reached. Dr. Poynter calls attention to this in explaining his own conduct. "As the framers of these clauses had promised me that many alterations should be made in the clauses when the bill should be in the Committee of the House, by which the operation of them would be considerably lightened, it would have been altogether imprudent to express a public opinion of them while they were in this imperfect state, and before the proposed discussions and alterations took place."[1]

Whether Dr. Poynter would have succeeded in obtaining any substantial modification of the clauses may be questioned. It was never put to the test; for the bill broke down in an unexpected manner. When the House went into Committee, with Mr. Abercromby in the chair, the Speaker—Mr. Charles Abbott—once more took the unusual course of addressing the Committee. He declared that while the bill had been introduced to put an end to strife, it was evident that it would produce more strife than ever. He said that both Dr. Troy and Dr. Milner were known to be opponents of the bill as it then stood. With regard to the main question, he was willing that Catholics should be relieved of their disabilities with respect to the Army and Navy, the professions and other walks of civil life: but he thought it would be a fatal mistake to put political power into their hands so long as they remained subjects of the Pope, for that his dominion over them was incompatible with the Protestant constitution of the realm. He therefore proposed that the clause giving them the right to sit and vote in Parliament should be struck out.

A long debate followed, in which amongst others Sir John Coxe Hippisley, Mr. Ponsonby, Lord Castlereagh, Mr. Canning and Mr. Grattan took part. It was evident that the opinion of the House was very evenly divided and the result was awaited

[1] *Apologetical Epistle*, § 49.

with some excitement. At one o'clock in the morning the Committee divided. The chairman read out the numbers as follows :—

For the Clause	247
Against the Clause	251
Majority against the Clause	4

The announcement was received with cheers and counter-cheers. When the excitement had subsided, Mr. Ponsonby rose and said that the bill without this clause was neither worthy of the acceptance of the Catholics nor of the support of their friends. He accordingly moved "That the Chairman do now leave the Chair". This was of course equivalent to a notice that the bill had been abandoned.

The failure of the bill caused great agitation throughout the Catholic body. Milner always took to himself the credit of having been the instrumental cause of the defeat, and considering the small majority by which Mr. Abbott's amendment was carried, it seems quite possible that the scale was turned by the circulation of the *Brief Memorial.* For although the subject of the Memorial was not directly connected with that of the Amendment, the fact that the Catholics were not satisfied with the bill may easily have induced some members to vote for the amendment who would not otherwise have done so; indeed, Mr. Abbott in his speech had appealed to the *Brief Memorial* in this sense. Milner therefore is entitled to claim the thanks of Catholics for coming to their aid in the hour of crisis.

At the same time it is well to bear in mind that the position of the Catholics was by no means desperate. The Act of 1791 had entered the committee stage in the House of Commons in a state quite as mischievous, and had been considerably amended before its third reading, partly no doubt in consequence of Milner's protest at that time; but the saving of the bill from the Catholic point of view was due to the action of the House of Lords, under the influence of Bishop Horsley.[1] In the case of the bill of 1813, it is at least possible that the Lords might have saved the Catholics in another way, by rejecting the bill. In subsequent years on two occasions—in 1821 and 1825—both in Milner's lifetime, an Emancipation

[1] See *Dawn of Catholic Revival*, chapters xiv. and xv.

bill clogged with restrictions was actually passed by the House of Commons, and in each case the peers threw it out by a large majority. It does not, however, as a matter of course follow that they would have done so in 1813. The division on the petition in the previous autumn had shown their feeling to have been very evenly balanced, and unless further influences had been brought to bear on them, we cannot look upon it as certain that they would have thrown it out. Therefore Milner served an important cause in so far as he was instrumental in ensuring the failure of the bill.

The members of the Catholic Board, and their sympathisers, made no secret of attributing the collapse to Milner, and in their anger they took action which led to their everlasting discredit, and has been commonly, and justly, regarded as the greatest triumph of Milner's life. Briefly, they determined to expel him from their number. The difficulty was that there was no proper means of doing this, as the Board consisted of all those who subscribed a certain sum to the Catholic cause, and there was no kind of choice or election. They had, however, recently appointed a "Select Committee" or "Private Board," to conduct the affairs of the Public Board more expeditiously and conveniently. As this was a nominated body, it was possible to expel a member. Milner had been placed on it at his own special desire, expressed at the conference with Charles Butler. He says that while the bill was under discussion, they held frequent meetings, which however he did not attend. Eventually, at their request, he consented to attend one fixed for May 29, at the Earl of Shrewsbury's house in Stanhope Street.

On the evening before the meeting, two members of the Board informed him of what was intended, and suggested that he should avoid it by resigning. The following was his answer:— [1]

"I wish to keep peace with you, as far as my duty will permit; therefore pass whatever resolutions against me you will in your parlour, provided you do not publish them: in this case I will take no sort of notice of them; but connected with a great and sacred cause as I am, if you publish against me, be assured that I will answer you. As to my name, how-

[1] *Orthodox Journal*, October, 1813, p. 174.

ever content I am that it shall not appear upon your list, yet I cannot withdraw it in the manner you propose, because this would appear to be disavowing a conduct in which I must for ever glory."

In accordance with his determination, Milner was punctual in his attendance at Stanhope Street the following day. It should be observed that it was a meeting not of the Committee, but of the General Board of English Catholics, some sixty-five members being present; but the intention was by a vote of the whole Board to remove his name from the Committee.

The Earl of Shrewsbury occupied the chair. The first motion was a vote of thanks to their friends and supporters in Parliament, especially to the framers of the late bill. This was followed by a declaration that in spite of the disappointment at the failure of their hopes on this occasion, they were confident that justice would triumph in the end and that Emancipation would eventually be obtained.

After this the Board proceeded to a discussion on Milner's action. We can open the account from a description given by Milner himself:—[1]

"A celebrated orator," he says, "opened the charge in a studied harangue. He began [by asserting that] Dr. Milner, though the accredited agent of the Irish Prelates, was not authorised to speak on their part as well as his own in the *Brief Memorial.* He maintained that the clauses of the Bill could not be attended with that oppression and religious persecution which Dr. Milner apprehended from it, because the preamble states that 'it is framed to extinguish animosities and to procure union'. He said that Catholics ought to be content with mere profession of their religion on the part of their Commissioners for securing it, because the law knows no other security in such cases but the profession of it, though it is notorious that different tests are provided by it. He denied that the ministerial duty of their clergy is at all concerned with securing the loyalty of Catholics, and asserted that this is a necessary innate principle in the hearts of Englishmen. In proof of this he referred to the loyal conduct of the Catholics under Elizabeth in resisting the Spaniards. . . ."

The orator alluded to was Mr. George Silvertop of Minster-

[1] *Westminster Archives.*

acres, in Northumberland, who was beginning to come into prominence about this time, as one of the Catholic leaders. He was the head of a well-known Northumberland family, and had received his early education at Bishop Talbot's Academy at Old Hall Green, where he first knew Edward Jerningham. By his proposal, the Board now passed two resolutions, the first that the *Brief Memorial* had their most marked disapprobation ; the second a renewal of their resolutions passed, by a curious coincidence, exactly on that day three years before, disclaiming any connection with or responsibility for Milner's political writings or acts. On each occasion Mr. Robert Clifford opposed the motion, and pressed his opposition to a division. In a letter describing this he adds,[1] " I must in justice, however, say that I did it only out of the respect which I bore for the character of a vicar apostolic, and not for the person of Dr. Milner, as I should be unwilling to transact business with him without a witness ".

After this the Board called upon Milner to say whom he intended to designate by the title of " False Brethren " in the *Brief Memorial.* Now it is remarkable that in the *Brief Memorial* as subsequently printed by Milner in his *Supplementary Memoirs*, the whole postscript in which these words occur is suppressed, and in the account which he gives of the meeting there is no reference to them. Yet they were in fact the main ground of offence, and the action of the Board was based entirely upon them, so that it would seem that in after years Milner regretted having used them. We cannot indeed admit that the phrase justified the action of the laymen who composed the Board, but it serves as some explanation of the bitterness of their feelings. The postscript of the *Brief Memorial* ran as follows :—

"P.S. In the present form of the Bill, consolidated and aggravated as it this day appears, the pure, undisguised and unrestricted *Veto* is added to the oppressive, unconstitutional clauses against the Catholic Clergy. Such measures never could have been countenanced by any members of the legislature, had they not been suggested by certain false brethren of the Catholic body."

In reply to the chairman's question, Milner said that he had

[1] *Archives of English College, Rome.*

alluded to Charles Butler. A scene of great excitement followed. Two resolutions were proposed by Mr. Peregrine Towneley, seconded by Lord Stourton, and forthwith put:—

"1. That Charles Butler, Esq. is entitled to the thanks and gratitude of the General Board of British Catholics for his great exertions in support of the Catholic cause, and that the charge just made by the Right Reverend Dr. Milner against Mr. Butler is a gross calumny.

"2. That under the present circumstances, it is highly expedient that the Right Reverend Dr. Milner ceases to be a member of the Private Board or Select Committee, appointed by the General Board of British Catholics on Thursday, May 11th, 1813."

The first of these motions was carried unanimously: the second by a large majority, Mr. Robert Clifford, as he himself tells us, having challenged a division.

Milner then stood up to speak. He produced a written protest from his pocket which he proceeded to read. It was of considerable length, and must have occupied him several minutes to deliver. It ran as follows:—[1]

"1st. Dr. Milner protests that the present meeting of about 65 persons does not constitute the persons interested in the rejected bill, namely the Catholics of the United Kingdom to the number of nearly 500,000; that it does not represent them or any part of them, having no delegation from them, and does not speak the sense of the said Catholics: 999 out of 1000 object to every compromise, etc. Such being the nature and constitution of the English Catholic Club, Dr. Milner will feel neither disgrace nor concern at ceasing to be a member of it, especially under the existing circumstances.

"2nd. He protests against the absurdity of the Club renewing its vote passed this day three years in this same place, which both declares that the Catholics of Great Britain are not implicated in or responsible for the political writings or conduct of Dr. Milner, 1st Because the Club has no

[1] The few words given by Milner in the *Supplementary Memoirs* (p. 211) must be intended as a summary of what he said; otherwise indeed it would hardly have been necessary to read it, as it would have been short enough to remember without difficulty. The text of the protest actually delivered as given here is from a copy in the *Westminster Archives*, in the handwriting of Rev. J. Hodgson, dated and signed, J. M., May 29, 1813.

authority to speak for the Catholics of Great Britain, and 2nd because Dr. Milner never pretended to act or write but barely in that of the Roman Catholic Prelates of Ireland, etc.

"3rd. He protests that the opposition by this Memorial to certain clauses of the bill (for the bill itself he has supported and not opposed) is not more an impeachment of the wisdom and integrity of the Parliamentary framers of it (misled by false brethren of his body) than the present censure of that Memorial is a censure on the part of the Club of the majority of the House of Commons influenced by the said Memorial, or supposed to have been influenced by it.

"4th. He protests (that he had) no intention to impeach, nor has he impeached the honour of the English Catholic Peers by complaining of the proposal in the bill to accept of the Oath of some two or three unknown Catholic Peers (and who are yet perhaps to be created Peers) as a sufficient security in preference to the Oath of all the actual Bishops and Clergy of the United Kingdom.

"5th. He protests it is the right of every British subject and therefore his own right to petition each branch of the Legislature on any grievance which he suffers or apprehends, and that if the *Brief Memorial*, distributed among the Members of Parliament on Saturday the 22nd inst., unsupported as it was except by its intrinsic justice and strength of argument, produced the effect on their minds which is ascribed to it, so far this justice and strength of argument are attested by them. He was more clearly justified in making this appeal to Parliament as he had previously, both in MS. and print, warned the friends and supporters of the bill of the opposition of conscientious Catholics to the clauses of it.

"6th. Dr. Milner protests emphatically that the Clauses in question are unprecedented in British law for their injustice and oppression with respect to a most deserving as well as useful description of His Majesty's subjects, the Catholic Bishops and Clergy of the United Kingdom, as tending to deprive them of their just character and merited promotion in their own Church, of their claim to correspond like other subjects on matters neither treasonable nor even political under regulations and penalties prescribed or to be prescribed by the law to prevent all such correspondence, as tending to put

them out of the pale of the Constitution, and to enslave them both as men and ministers of their religion. These oppressive clauses [were] palmed on one branch of the Legislature chiefly through the unwarranted concessions of those false brethren who are not commissioned but mistrusted by the Clergy.

"7th. Dr. Milner protests, as he protested on the 24th inst., in a conference with two of his episcopal brethren before several Catholic Noblemen and Gentlemen, that different clauses in the rejected bill are incompatible with the integrity and safety of the Catholic religion, and of a schismatical tendency, and therefore such as it is the bounden duty of every Catholic, and especially of every Catholic Prelate, to oppose to the utmost of his power; which judgment of his has since been confirmed in a general meeting of the Catholic Prelates of Ireland on the 27th inst.

"J[OHN] M[ILNER], D.D.

"LONDON, 29 *May*, 1813."

Having finished reading his protest, Milner walked to the door, and before leaving, he addressed the Board in words often afterwards quoted among English Catholics: "You may expel me from this Board, but I thank God, Gentlemen, that you cannot exclude me from the Kingdom of Heaven".[1] Two members only showed their open displeasure at what had taken place—Mr. Bodenham of Rotherwas and Mr. Weld of Lulworth—who both rose from their seats and followed Milner out of the room.

So ended this memorable scene. It would be futile to offer any defence for the action taken by the laymen. Whatever the provocation might have been, they should have remembered that Milner was a bishop, and good Catholics—as the members of the Board undoubtedly were—should never allow themselves to forget the respect due to the episcopal character. And to descend to lower grounds, a scene such as that described must redound to the bishop's credit and to their discredit, so that in truth they defeated their own ends.

Without, however, offering an excuse, we may be allowed to point out that the personal rudeness to which they gave way was not premeditated. Their wish to expel Milner from the

[1] See Amherst, ii. p. 117, where a description of the scene is given, based partly on the personal recollection of Mr. Bodenham; and the evidence of the exact words used by Milner on the occasion is discussed.

Board was no doubt intimately connected with their feelings of personal annoyance; but they justified it to themselves by appealing to the object in view, which was no doubt in reality the chief reason why they so carefully planned out their action. This object was publicly to dissociate themselves from Milner's political action, and their reason for doing so was in order to please their friends in Parliament, who detested him. They themselves looked upon his continued activity as the most prejudicial factor in their cause, and they therefore considered that by separating themselves before the world from all his acts and deeds, they were helping on the cause of Catholic Emancipation. But when it came to the point, their feelings got the better of them, and however harsh and overbearing he had been, they spoke and acted very improperly.

On the very same day on which Milner was expelled from the Committee of the Catholic Board in London, the Irish bishops were engaged in passing a vote of thanks to him. We have seen that they had been assembled at Dublin to consider the situation, and issued their pastoral on May 24. They were still assembled when news of the failure of the bill reached Ireland, and on the 29th they passed the following resolution:—

"That the Right Reverend Dr. J. Milner, Bishop of Castabala, our vigilant, incorruptible agent, the powerful and unwearied champion of the Catholic religion, continues to possess our esteem, our confidence, and our gratitude".

A similar vote was passed at an Aggregate meeting in Dublin on June 15. O'Connell made a long speech, in which he said that while among the (Irish) Catholic Board there had been a difference of opinion in this matter, in the present meeting there was none. He alluded to the expulsion of Milner from what he termed "the paltry club calling itself the 'Catholic Board of England'"; and concluded by saying that he could not forget, although the English Catholics seemed to have done so, "that this venerable Prelate combined the classic elegance of the scholar with the profound learning of the antiquarian and the divine; that he was one of the first who treated on polemics without forgetting the dictates of politeness and the practices of civility, and bore himself through all the excitements of religious controversy with the temper and manners of a gentleman." [1]

[1] *Speeches*, i., p. 208.

CHAPTER XIX.

MEETING OF VICARS APOSTOLIC.

In the month of October, 1813, an important meeting of the vicars apostolic of England and Scotland took place at Durham. To this meeting Milner was not invited. His exclusion was the cause of much discussion both at the time and afterwards, and the whole story of the origin of the meeting has been the subject of considerable speculation. By the aid of documents now available, the latter point can be made clear, and some light at least can be thrown on the considerations which induced the other vicars apostolic to hold their meeting without Milner.

The following letter from Dr. Poynter to Dr. Collingridge, dated July 3, 1813, tells the story of the origin of the meeting.[1]

"It being a common feeling among Catholics," he writes, "that it is highly expedient that every preparation should be made to meet the enactments and provisions of the bill which will probably be brought into Parliament for our Emancipation early the next session, the Noblemen and Gentlemen of the British Catholic Board, wishing to be guided by their Pastors in all that relates to religion, have expressed a particular desire that the Vicars Apostolic of England and Scotland will in the interval consider and agree among themselves what may be conscientiously admitted or submitted to with regard to the interference of Government in the nomination of Bishops and in our correspondence with Rome, or with regard to other matters which from the clauses of the late rejected bill of Mr. Grattan and Mr. Canning, or from Sir J. C. Hippisley's sketches, we may conjecture with some degree of

[1] *Clifton Archives.* A copy of the official minutes of the meeting is among the Archives of the English College, Rome.

probability will be introduced into the next bill. Conceiving that some of the points may be of such a nature as to require the consent or sanction of the Apostolic See, they are desirous that we should, if possible, and if we deem it necessary, apply to his Holiness, or to some person fully authorised by him, in order to obtain all requisite instruction or approbation. With this view the Board has addressed itself to me, requesting that all necessary informations be obtained on these subjects, and engaging to defray all expenses which shall be incurred by journeys, meetings of the Bishops, or of any other kind, in carrying their petition into effect."

Even Milner speaks of this as "a very orthodox and religious declaration";[1] and Dr. Poynter could not fail to see the importance of co-operating with them on this basis. He therefore set about arranging a meeting of bishops. Durham was once more proposed as the place of meeting, partly because this was practically the only way to secure the presence of Bishop Gibson; for although he was not now actually confined to his house, travelling was a difficulty to him. Another reason for selecting Durham was the convenience of the Scotch bishops, whose presence was hoped for. One of the remarkable features of the history of the unfortunate disputes with Bishop Milner was that the other vicars apostolic were drawn into closer union with their Scotch brethren than had ever been the case. Dr. Cameron, who had succeeded the well-known Bishop Hay as Vicar Apostolic of the Lowland District, identified himself wholly with the English bishops. Dr. Chisholm, Vicar Apostolic of the Highlands, who lived farther off, held aloof from the controversies so far as he could, and he was a personal friend of Milner; but when circumstances forced him to declare himself, he did so on the whole on the side of the other vicars apostolic, as we shall see.

The meeting was at first proposed for the end of July; but was postponed owing to the indisposition of Dr. Gibson. A further reason for postponing it was that Dr. Poynter was still president of St. Edmund's College. He had, however, made up his mind that he could not continue to discharge the office any longer consistently with doing his duty to the

[1] *Sup. Mem.*, p. 222.

London District now that he was vicar apostolic; and on August 1, on which day the scholastic year used to open, he resigned the presidency into the hands of Rev. Joseph Kimbell, his vice-president. Being released after thirty-nine years from the close routine of college life, he proceeded to take what was apparently the only real holiday he had during his episcopate. In company with Mr. Bramston, he went for a tour in the West of England. He made a stay at Lulworth, and proceeded thence to Exeter. We next find him staying with Lord Clifford at Ugbrooke, in Devonshire. From there he went to Plymouth, and then back to Taunton, where Dr. Collingridge then resided. After staying there a fortnight, they all proceeded north, reaching Durham in time for the meeting, which had been fixed for October 25. The Scotch vicars apostolic also arrived—Dr. John Chisholm and Dr. Eneas Chisholm his brother and coadjutor, and Dr. Cameron. Thus all the bishops of both countries were present except Milner, who had not been invited.

We must now therefore explain how it came about that this remarkable omission was made in sending out the invitations. We can begin by quoting from the same letter from Dr. Poynter which we used above. Later in that letter he writes as follows:—

"I should ask whether, knowing the temper and spirit of our colleague Dr. Milner, it would be advisable to invite him to the meeting. In the regular course of things he should certainly be there. But unless he could be bound to secrecy, he would communicate everything to the Irish Bishops, and even to the public in some pamphlet or letter in a newspaper; and, moreover, as it is more than probable that he would be in opposition to us all, if we should think proper to write to Rome, he would—to judge from his past conduct—endeavour to be before us with a counter-statement, which from experience we may judge without rashness would be a misstatement. Hence I am at a loss what to say, whether it would be advisable to invite him."

Dr. Collingridge's answer was short and definite: "I consider it would defeat the very purpose of the meeting, were he to come to it";[1] and his opinion prevailed.

[1] *Archives of the English College, Rome.*

In his *Apologetical Epistle*, Dr. Poynter sums up the reasons why it was decided not to invite Milner, as follows :— [1]

"First, because one of the Vicars Apostolic absolutely refused to meet him.

"Secondly, because in the former meetings he had conducted himself in a manner highly arbitrary and offensive to the other Vicars.

"Thirdly, because he had printed and circulated among the public mutilated and untrue accounts of what was said or done at the former meetings."

"I myself declared," Dr. Poynter continues, "both by word of mouth and writing, that there was no obstacle on my part, if it pleased the other Bishops: but it did not please them."

Both Amherst and Husenbeth discuss the question as to who were the objecting bishops.[2] The one who refused to meet Milner was, as we have seen, Dr. Collingridge. Of the others, Dr. Gibson seems to have written to him that he had no personal objection to his coming. This leaves Dr. Smith, Dr. Cameron and Dr. Chisholm. Of these the first two were always strongly opposed to Milner, and no doubt joined themselves to Dr. Collingridge in objecting to his presence; and it is probable that Dr. Gibson was with them, though he did not wish to say so openly. With respect to Dr. Chisholm, the Vicar Apostolic of the Highland District of Scotland, the case was somewhat different. He had never been associated in English affairs, and was not even aware until he actually arrived at Durham that Milner would not be there. He wrote expressing disappointment at not finding him, and Milner magnifies this admission, drawing his own conclusion. "Certain other Prelates," he says, "who made it the condition of their attending the meeting that the writer should be invited to it, were decoyed and imposed upon in that particular"; and he adds, in a note, the text of Dr. Chisholm's letter.[3] Fortu-

[1] § 40.

[2] Husenbeth, p. 244; Amherst, ii. p. 129. See also *Orthodox Journal*, Nov., 1813, p. 232.

[3] "Having only arrived here [at Durham] the night preceding, I was very much disappointed indeed when I did not find you here: having written to [Bishop Gibson] before I left home, expressing my most sincere wishes of your attending the meeting. On my arrival at Newcastle I had the satisfaction to learn that you were here, and was only undeceived on my arrival. Though the Board had not used you as I wished, had not you a right to join your brethren,

Bishop William Gibson

ately he made a similar accusation at the time, and Dr. Poynter wrote to Dr. Chisholm to ask if he had been "decoyed and imposed upon," and whether he had made it a condition of his attending the meeting that Milner should be asked. The following is his answer, dated January 4, 1814:—[1]

"I did not go to the meeting induced by any true or false assurances from any Bishop that the Vicar of the Midland District would be present at it. And relative to this question I have anticipated your Lordship, for I wrote the same to Bishop Milner after perusal of his *Encyclical Letter*. It is true I had been told at Newcastle he was before me at Durham, and I wished him to be there, as your Lordship might see by my answer to your Lordship's letter, when I said that nothing but inability would prevent me from attending the meeting, providing you were all (the Prelates) unanimous in England. As to the second question, I certainly did not strongly disapprove of his exclusion, because what I could say would not have availed then, as I conceived it was too late to invite him after my arrival, and that you all seemed to wish for his absence, while the most of you had the better access to know him than I had. To invite him to the meeting was, I thought, the best plan to reconcile him and the Irish Prelates to us that we might be all one. I wrote him that he was not in my conception excluded from the meeting, but all he could say was he was not invited to it; that he had as good a right to come as any of us, and that had he come and was refused admittance, I would have excluded myself along with him. I thought I foresaw the bad result of his exclusion, and in that I believe I was singular among you all."

In consequence of his not being invited, Milner denounced the meeting as a *Conciliabulum*, and lodged a formal protest "against all the acts of it as null and void". Technically he was of course wrong. The meeting if complete would not have been a "concilium"; therefore the partial meeting was not a "conciliabulum". His meaning, however, is plain enough. He always called any episcopal meeting a "Synod," although strictly speaking they were not such, and in this

wherever they happened to assemble? Agreeably to your request I asked why you had not been invited to this meeting? and even took pen and ink to return you their precise answer. I received no explicit answer" (*Sup. Mem.*, p. 216).

[1] *Archives of the English College, Rome.*

modified sense he designated the Durham meeting a "Conciliabulum".

The other bishops, however, knew their Canon Law, and they knew that this was neither a synod nor a "concilium," nor even a formal meeting of bishops. Dr. Gibson's account of it was that "Certain Prelates wrote to tell him that they were coming to pay him a visit, and that he could not refuse their company". The discussions were informal and there were no "Acts" for Milner to appeal against. They did indeed pass a resolution to be incorporated in a letter to Mr. Jerningham, giving their opinions about the defeated bill; but that was nothing more than a theological opinion, and was not intended to have any administrative force or authority beyond that. They also drew up a common pastoral; but they did not issue it in their joint names. The senior vicar apostolic (Dr. Gibson) adopted it as his own, while each of the others issued it as avowedly the pastoral of the Northern District, with which he felt himself in agreement. Dr. Gibson dated it from Durham on October 27, 1813, this being the day on which the bishops decided that it should be written. The other vicars apostolic adopted various subsequent dates, according to their respective convenience. Thus it came about that the pastoral was read throughout the whole of England and Scotland, with the exception of the Midland District. Some account of the Resolution and the pastoral is accordingly called for.

The former of these can be given in full:—[1]

"After having seriously considered the ecclesiastical clauses contained in the last bill prepared for our emancipation, we all judge that some of them are of such a nature that it is utterly inconsistent with the duty of Catholics and particularly of the responsible guardians of religion to approve or, independently of the approbation of His Holiness, to consent to clauses of that import. Yet we trust that we shall be found prepared to do our duty and instruct our flocks what they may conscientiously submit to in any future bill; at the same time confiding in the zeal of the Noblemen and Gentlemen of the Board of the Roman Catholics of Great Britain, that they will use every kind of exertion in their power to prevent the insertion in any future bill of any clauses similar to those con-

[1] Letter to Mr. Jerningham, copy in *Clifton Archives*.

tained in the last bill, to which Catholics cannot give their approbation or consent.

"Whilst we express our full confidence in the zeal of the Board to this effect, we desire to give the Board the strongest assurances that it shall find us industrious not to put, but to remove every difficulty to the utmost of our power, which might impede the Roman Catholics of Great Britain from enjoying the full benefit of the British Constitution, and with this distinct view we confirm the sentiments contained in our Fifth Resolution of February 1, 1810, by which we declared we were firmly persuaded that the legislature may make adequate provision for the maintenance of the civil and religious establishments of the Kingdom without requiring any conditions of Catholics inconsistent with the faith and discipline of the Roman Catholic religion, and that any arrangements founded on that basis of mutual satisfaction and security, and extending to Catholics the benefits of the Constitution, will meet with our grateful concurrence."

These then being the views of the bishops, the object of their pastoral was to put them into conciliatory language so as if possible to avoid giving offence to their friends in Parliament, or damaging the prospects of Emancipation. It was a delicate matter and required careful drafting. Milner, in his usual blunt way, called it "a wordy pastoral composed in the South, and palmed on the unsuspecting pastor of the North". His guess was partly correct. The rough draft was composed by Dr. Poynter, assisted by Dr. Collingridge and Dr. Cameron; but the whole was carefully considered and corrected by the assembled bishops. They take their stand on the Fifth Resolution, explaining the sense in which it was to be understood by those loyal Catholics who signed it, and they write —as we should expect from Dr. Poynter—with the utmost sympathy for the sterling virtues of the old Catholic families. A few extracts will serve to make clear their attitude. Taking for their text the words "Render to Cæsar the things that are Cæsar's, and to God the things that are God's," they begin the pastoral with some general remarks on the patience of the English Catholics in their long struggle for Emancipation, and the general desire on the part of the bishops to remove every obstacle to the attainment of that end.

"We cannot conceal," they say, "the consolation we experience when we reflect on the temperate, peaceful and consistent conduct of the British Catholics in seeking the relief which they so eagerly desire. It became their loyal character to declare that 'in soliciting the attention of Parliament to their petition, they are actuated not more by a sense of the hardships and disabilities under which they labour than by a desire to secure on the most solid foundation the peace and harmony of the British Empire; and to obtain for themselves opportunities of manifesting by the most active exertions their zeal and interest in the common cause in which their country is engaged, for the maintenance of its freedom and independence'. And whilst they expressed their conviction 'that adequate provision for the maintenance of the civil and religious establishments of this kingdom might be made' (by the legislature, to whose province it exclusively belongs) 'consistently with the strictest adherence on their part to the tenets and discipline of the Roman Catholic religion,' it became their piety to guard against pledging themselves to 'any measures that might not be perfectly consistent with the integrity and safety of their religion,' and thus to declare that 'any arrangement founded on this basis of mutual satisfaction and security, and extending to them the civil constitution of the country, will meet with their grateful concurrence'; it being perfectly understood by them, and indeed evident in itself, that arrangements founded on this basis of mutual satisfaction and security must preclude on their part the idea of any concurrence in, or approbation of, any restriction or condition that might possibly prejudice the integrity or safety of the Catholic religion.

"We feel singular satisfaction in the truly Christian and Catholic sentiments which have uniformly been proclaimed by the Roman Catholics of Great Britain, that they would not surrender one point of their religion for all the advantages of their civil Emancipation; and that if any terms of Emancipation should be proposed to them of a religious nature, they would refer them to the judgment and decision of their pastors.

"Such sentiments are worthy of the descendants of those who from age to age have proved to the world that they valued

the Holy Catholic Religion as the most precious portion of their inheritance."

The bishops then proceed to define their own position; their responsibility to keep the sacred deposit entrusted to their care, and to defend the spiritual independence of the Church, and at the same time to inculcate those principles of loyalty to the civil power which are part of Catholic discipline:

"To restrictions which control the exercise of the powers of the Pope in spiritual matters, particularly in the appointment of his own Vicars, or in his communication with the members of the Roman Catholic Church in affairs of a spiritual or ecclesiastical nature, we cannot give our approbation or consent. For we cannot approve of, or consent to anything which restricts a spiritual power superior to our own, or which is contrary to the spiritual interest of our flocks.

"We acknowledge that we owe to the State a proof of our civil Allegiance, and security against all treasonable designs.

"You in common with us, dearly beloved brethren and children in Jesus Christ, have given to our country the strongest proofs of civil allegiance, and an abhorrence of all treasonable designs by the profession of your religious principles, by the solemn oaths you have taken with unquestionable sincerity, and by the known loyalty of your conduct. . . .

"We have the satisfaction to see that the loyal and peaceable conduct of our clergy and flock has been conformable to our religious principles and to the obligation of our oaths.

"We are all British-born subjects, and as such we feel an interest and a glory in the security and prosperity of our country. We can no more betray our country than our Religion.

"We reasonably hope, therefore, that no unmerited and degrading restrictions will be imposed on the British Catholic Clergy in the very act of their Emancipation; and that no precedent for the enactment of such will be taken from laws made in times very different from the present, or in countries which are strangers to the liberties of the British Constitution.

"We are confident that our countrymen will not injure us so far as to suspect us of any disloyal sentiments, or to admit prejudices against us which may serve as a pretext for restrictions to which we cannot give our approbation or

consent, and which a British subject would feel a natural repugnance in submitting to.

"Such, we are sorry to observe, was the nature of some of the Clauses contained in the last Bill prepared for our Emancipation. We are sensible that the framers of that Bill, whose readiness to promote the interests of Catholics we acknowledge with gratitude, felt pain in being compelled, not by any cause on the part of the Catholics, but by a constrained attention to groundless prejudices, and by other considerations which we trust will be found on further examination to be void of weight, to insert clauses of the above description in the Bill.

"We are confident that those amongst you who may have influence will employ the same by every legal, mild and peaceable means to prevent a repetition of the same clauses in any future bill."

The bishops sat from October 25 till October 30. The first four days were given to the business which had brought them together—the discussion of the clauses of the late bill. On October 29 and 30 the discussions turned on many different questions of Catholic policy, including the Trevaux case, the Bible Society, the subscription for the support of the London vicar apostolic to which Milner had taken exception, etc., etc., which were all duly explained. The meeting then adjourned for three days, during which time the rough draft of the proposed pastoral was drawn up by the three bishops who had been deputed for that purpose. Two whole days were then given to its discussion, and to putting it in final form; and the meeting terminated on the evening of November 5.[1]

On the following day Dr. Poynter continued his tour with Mr. Bramston, visiting the English lakes in Cumberland and Westmorland. He returned South in time to spend the feast of St. Edmund (November 16) at the college, and reached his house at Castle Street on the evening of the 17th. On the following Sunday, November 21, the pastoral was read in the London churches. Dr. Poynter writes that "the satisfaction given by it in London is beyond description";

[1] The only copy of the minutes of this meeting is among the Archives at the English College at Rome. The formal minute books of the meetings of the vicars apostolic—one of which was kept in each district—contain no mention of it, no doubt because owing to Milner's exclusion, they did not consider it a formal meeting or synod of vicars apostolic.

and again a little later, "Notwithstanding Bishop Milner's opposition, it continues to give the greatest satisfaction. I have been told by the gentlemen of the Catholic Board that they shall make it the rule of their conduct in seeking their Emancipation."[1] The first edition, consisting of 500 copies, was at once exhausted, and a second edition printed, so that all who wished might procure copies. On December 5 it was also read in the churches of the Western District, where on the whole it also gave satisfaction; but in one or two cases the clergy found fault with it. Dr. Coombes and his nephew, while approving of the pastoral as a whole, both took exception to the passage in which the bishop says that it is the province of the legislature to provide for the religious establishments of the kingdom. The Rev. Robert Plowden of Bristol absolutely refused to read it in his church, and was in consequence suspended by Dr. Collingridge. We can well understand that one who felt so strongly as he did against the Fifth Resolution would have had his obedience put to a severe test in being called upon to read it out from the pulpit; but the passage which he took his stand upon was the same as that which Dr. Coombes had criticised. He argued, "If the Religious establishments are contrary to Christ's institution it can belong to the province of no one to provide for their maintenance".[2] Milner was ready at once to support him. Dr. Poynter considered the argument captious. He declared that the passage by no means implied any right on the part of the Government to support the Protestant religion, but is solely a statement that this is the department of the executive. This question between Mr. Plowden and his bishop was, however, not brought to an issue, as it was overshadowed by another more pressing one. Mr. Plowden had brought out a Catechism to which Dr. Collingridge took exception. The question concerned a command given in the "Observanda" drawn out in 1803 that missionary priests were to insist that those who were about to be married should first approach the Sacrament of Penance. Mr. Plowden contended that contrition without the sacrament being in theory sufficient, one could exhort a person to go to

[1] Letters to Bishop Collingridge (*Clifton Archives*).
[2] *Sup. Mem.*, p. 217.

Confession, but could not insist upon it until the time came for his annual duties. After some acrimonious discussion, an agreement was come to: Mr. Plowden suppressed his Catechism and received back his faculties. During the time of his suspension the pastoral had been read by Rev. Joseph Tate, his curate, and the questions concerned with it were not raised again.

Unfortunately the reconciliation did not prove permanent. Bishop Collingridge, in his pastoral the following year, used language which appeared to reiterate the necessity of the Sacrament for justification,[1] and Mr. Plowden was so angry that he lost control of himself, and denounced the bishop from the pulpit, saying that his doctrine was condemned by the Church, and that he was "no Catholic". After such language, there was only one result possible. Dr. Collingridge appealed to Rev. M. Stone, superior of the ex-Jesuits, and Rev. Robert Plowden, after a residence of more than a quarter of a century, had to leave Bristol. Dr. Milner received him into the Midland District.[2]

It will not surprise the reader to learn that Milner did not allow the joint pastoral to remain long unanswered. His reply was in the form of an "encyclical letter" to the faithful of his district: but both in tone and substance it was a controversial pamphlet, written in his most forcible language, and filled with disagreeable insinuations. He begins by a protest against his exclusion from the meeting, which as we have seen, he in consequence designated as a "Conciliabulum". He says that "the assembly itself is known to have been suggested and planned by certain English lay Catholics in order to furnish a sanction or pretext for concessions to the Established Church, as a foundation for a fresh bill to be presented to Parliament

[1] The following is the text of the passage:—

"Under the Gospel dispensation it is required that you should have recourse to that remedy which Jesus Christ has left in His Church, and through which the fruits of His passion are applied to souls properly disposed for the forgiveness of all sins committed after Baptism: your penance therefore will be illusory and fruitless if having it in your power, you neglect to comply with the precept of making a sincere confession of your sins to those to whom Christ has said, 'Whose sins you forgive they are forgiven them, and whose sins you retain they are retained'".

[2] He went to the small mission at Wappenbury, in Warwickshire. He always considered himself aggrieved, and threatened to appeal to Rome. Apparently he had the sympathy of his brother, Rev. Charles Plowden, and other ex-Jesuits, who always wrote in his favour, though it is difficult to think that they could have really approved of his conduct.

by them". He adds that "the chief agent in this business was a distinguished Ecclesiastic"—alluding of course to Dr. Poynter—"who holds a pension at the will of these laymen, which was raised by public advertisement for the situation which he holds, soon after he had signed their favourite Fifth Resolution, at a time when the Irish Prelates and Dr. Milner persisted in their protest against receiving money from any quarter while their religion continued in danger. It appears from the known report of this agent to his employers, and it is gathered from his published letter, that a principal business of the Episcopal meeting was to renew that fatal Fifth Resolution in opposition to the decisions of the Catholic Prelates of Ireland, September 14, 1808, and February 26, 1810, from which Resolution so much dissension in both islands, and last of all the late schismatical bill, has proceeded."

The implied superiority of the Irish over the English bishops in the last sentence is of course characteristic of Milner. The idea that the English vicars apostolic could ever have had a grievance against their Irish brethren for contradicting the English Resolution did not easily occur to him; but alluding to Dr. Poynter's former complaint in that sense in his private letters, Milner scorns the idea, to quote his own words, "just as if this Resolution did not regard the Irish Prelates as much or more than him; just as if his having signed it at a tavern without consultation precluded them from deliberating and pronouncing upon it in a synod!"

After this Milner proceeds to recapitulate his usual assertions about the history of the veto and of the Fifth Resolution, in order to show their mutual connection. It is unnecessary to quote his language, which is practically the same as he had used so often before. He makes his usual attack on the conduct of his episcopal brethren on the day when the Resolution was signed, retails once more the story of Lord Clifford and Mr. Weld at the dinner at Doran's Hotel the previous evening, and Mr. Jerningham having afterwards boasted that he and his friends had "jockeyed" the bishops, and so forth. He then proceeds to find fault with the praise bestowed in the joint pastoral on the old Catholics, and reverts to the history of twenty years before, alluding to the title "Protesting Catholic Dissenters," the Blue Books, the Cisalpine Club, the "Protest

and Appeal," the Mediator's Buff Book, and the rest, to show that they did not deserve this praise. Finally he protests against the mildness of language of the pastoral in condemning the late bill. He recapitulates the history of his own opposition to it, when he says that the other two bishops then in London refused to co-operate with him, adding that "I charged my brethren before God and the Church with all the mischief which would arise from the expected act".

Dr. Poynter made no public answer to this encyclical letter. To Dr. Milner himself he wrote as follows :— [1]

"My Lord,

"I have received your Lordship's printed Encyclical Letter to the Midland Catholics, at the end of which I found a letter particularly addressed to me, in your Lordship's handwriting.

"As far as your Lordship's public Encyclical Letter alludes or relates to me personally, I may be allowed, and I am sorry to have to say, that it contains a repetition of many well-known mis-statements which have appeared in some of your former printed compositions, with the addition of many new mis-statements of a nature to injure me where the true state of the facts you relate is not known. With the evidence I have of your Lordship's having misconceived and mis-stated several important facts, I cannot but deeply lament that you do not accurately ascertain the truth of what you assert before you venture publicly to impute to persons in high and responsible situations things which if true would be criminal and disgraceful in them to have done, and if false it would be criminal and disgraceful in any one to charge them with. . . .

"I have the honour to be, with due respect, my Lord,

"Your Lordship's most humble obedient servant,

"William Poynter."

Here we may leave this disagreeable business. When the contest was resumed, the scene was transferred to Rome. Dr. Poynter had written asking the guidance of the Holy See in the event of the bill being re-introduced, and this led to the issue of the famous Quarantotti Rescript, an account of which we must reserve for a separate chapter.

[1] *Westminster Archives.*

CHAPTER XX.

THE QUARANTOTTI RESCRIPT.

WE have seen that when the Pope was removed from Rome in 1809, the Cardinals of the Curia—with the exception of two whose infirmities rendered it impossible for them to travel—were taken to France, and ecclesiastical business was left almost at a standstill. Cardinal di Pietro, Prefect of Propaganda, was first taken to Sémur, but was soon removed to Paris. When, however, he refused to assist at the second marriage of Napoleon, and thus became one of the "Black Cardinals," as they were termed, he was thrown into the dungeon of Vincennes. He was afterwards liberated, and in 1813 we find him with the Pope at Fontainebleau; but none of the Cardinals were at this time allowed to return to Rome.

During the absence of the Cardinal Prefect, the Secretary of Propaganda was in command of that congregation. This was the aged Mgr. John Baptist Quarantotti, whose name has since become so famous in connection with Catholic history in these islands. He was a member of an ancient and distinguished Roman family,[1] and had already had a long and successful career in Rome, doing excellent work on several different congregations, in reward for which he had been made a canon of St. John Lateran's. He was likewise a Domestic Prelate of his Holiness, and had been the close friend of several successive Popes. In 1807 he had become Secretary of Propaganda: he was now constituted "Vice-Prefect"[2] and given extended

[1] He traced back his ancestry to the fourteenth century: see Moroni, vol. 56, p. 121. It is hardly necessary to add that the foolish story often circulated that Quarantotti derived his name from having won a large sum of money at a lottery under the number forty-eight (quarant'otto), or from his father or grandfather having won 48,000 crowns (*Orthodox Journal*, November, 1816, p. 431) has no foundation in fact.

[2] There has been some doubt as to the correct title of Mgr. Quarantotti. Cardinal Litta speaks of him as "Pro-Prefect" but we have thought it prefer-

powers, though as to the degree of their extension, there seems to have been some doubt. Thus it happened that when the case of Abbé de Trevaux was sent up to Rome towards the end of the year 1812, it came before Quarantotti for consideration. He is described by every one who knew him as a charitable and benign ecclesiastic, and he was undoubtedly well versed in Canon Law, as well as in the practice of the Roman Congregations. But he was not far off eighty years of age, and was perhaps somewhat too old—even if he had possessed the necessary strength of character—to deal successfully with a difficult case.

It now became of importance to secure an active agent to attend to the business of the English bishops in place of the Rev. Robert Smelt. The income from the ordinary fund for the support of the bishops' agent was almost all required to provide a pension for Mr. Smelt, who was broken down in health. For this reason, in the summer of 1812 an arrangement was made with the Scotch vicars apostolic to employ the same agent, Rev. Paul Macpherson, Rector of the Scots' College, whom we have already come across, the bishops of the two countries sharing the expense.[1] He returned to Rome

able to give him the title which he himself used in his signature to the Rescripts and other documents, namely "Vice-Prefect".

[1] In connection with Mr. Macpherson's journey to the Continent, the following extract from Charles Butler (*Addition to His. Mem.*, MS., p. 146) seems worth quoting, though we give it with all reserve:—

"In the Spring of 1812, Sir John Coxe Hippisley wrote pressing letters to Mr. Macpherson in Scotland to go up to London and make up his mind to return to Italy, for motives of the highest importance to his Holiness, which he durst not, he said, trust to paper, but which he was anxious to communicate to him as early as possible by word of mouth.

"About the same time, the Bishops both in England and Scotland were desirous Mr. Macpherson would attempt to make his way to Rome, because daily and serious difficulties occurred in the discharge of their pastoral duties, which they felt it impossible to surmount without the direction of those at Rome, on whom the Pope had conferred the necessary powers. This added to Sir John Coxe Hippisley's pressing solicitations made Mr. Macpherson resolve to undertake the arduous journey. On his arrival at London, Mr. Macpherson made it his first duty to wait on the honourable Baronet. He informed him that he had concerted with the Ministry and with the Honourable Mr. Yorke, to attempt releasing the Pope from his captivity at Savona; that Captain Otway (now an Admiral and commanding in Scotland), was to command the expedition: the ships of war and transports to assemble at Cagliari, and the troops to be landed at Savona in the night time. That the part Mr. Macpherson had to act in this glorious enterprise was in the first place to strive by all possible means to get to Savona. In the second place, by direct or indirect means to make the Pope acquainted with the attempt that

before the end of the year, and the city being then quiet, he seems to have had no difficulty in being allowed to resume his residence there.

Mr. Macpherson soon got to work on behalf of his new masters. He was indeed an old and tried hand in treating with the Roman authorities, having had dealings with four different Cardinal Prefects of Propaganda.[1] To his familiarity with Roman ways, he joined the cool and long-headed judgment of a typical Scotchman. He soon succeeded in obtaining an influence over the good and meek Vice-Prefect of Propaganda, and practically directed his action. He was a strong partisan, and could work up a case as well as any lawyer. Indeed he made no attempt to be impartial: every statement of a case which he drew up was an *ex parte* statement. In this he was not singular. His statements were hardly more exaggerated than were those of Dr. Milner and Dr. Troy in answering him: it seems to have been recognised that each would present his case as though they were pleading in the courts. But at the beginning Mr. Macpherson had the ear of Mgr. Quarantotti, an advantage which he utilised with great effect.

He began then by representing Milner as a man of great ability and corresponding ambition, who found the post of Vicar Apostolic of the Midland District—which he had obtained not without great difficulty—not sufficiently influential for him, and had tried one pretext after another to obtain a footing in London. He had eventually succeeded, not from any action on the part of Propaganda, but by obtaining from

was to be made, that so his Holiness might not be alarmed when it would take place; to procure minute information relative to the numbers and strength of the French troops in Savona, and lastly to inform with all despatch Mr. Hill, our minister in Sardinia, of what he had done, and the discoveries he had made. The manner by which this information was to be conveyed to Mr. Hill was likewise concerted. The honourable Baronet observed that the execution of these commissions might probably be attended with expenses, which he could not conveniently afford, and added that though he was not authorised to promise Mr. Macpherson indemnity, he himself would with great pleasure satisfy him out of his own pocket. But unfortunately Mr. Macpherson had no claims to make. For on his arrival at Morlaix, in Brittany, the first news he got was that the Pope by orders from Bonaparte, had been removed from Savona, and was on the road to Fontainebleau. This is taken from an authentic document, signed by Mr. Macpherson."

[1] Cardinal Antonelli (1780-1795); Cardinal Gerdil (1795-1802); Cardinal Borgia (1802-1804), and Cardinal di Pietro (1806-1814).

the Pope himself a dispensation to reside in the capital, on the plea that it was necessary, in order that he might act as agent to the Irish bishops at the seat of government. In reality, however—Mr. Macpherson said—Milner acted as a kind of inquisitor over the London vicar apostolic, whom he frequently attacked in his pastorals and pamphlets. Hence, he said, came the difficulty about the De Trevaux case, which Milner had worked up without any real knowledge of the facts.

In consequence of this representation, Mgr. Quarantotti wrote a fatherly letter to Milner, dated February 15, 1813, deploring his unfortunate disputes with his colleagues, and attributing them to his regrettable habit of implicating himself in their affairs. He insisted on the duty of a bishop residing in the seat of his jurisdiction and attending to the spiritual needs of his own flock, leaving the care of those elsewhere to their respective bishops.

Having succeeded so far, Mr. Macpherson proceeded to make out a similar case against Dr. Troy. He said that Dr. Troy had been educated in Rome, at San Clemente, and had acquired an intimacy with Cardinal Borgia which was of great service to him when the latter was Prefect of Propaganda. In Ireland Dr. Troy was like a Pope: every preferment or promotion passed through his hands, and all the other Irish bishops were subservient to him. Not content with this, he sought to extend his authority to England and even to Scotland. It was in great measure due to his influence (Macpherson declared) that Milner had been appointed vicar apostolic, and that all the numerous evils resulting from that appointment had come upon the English Catholics. Dr Troy and the Irish bishops had followed Milner in condemning the Fifth Resolution, and in writing and speaking against that eminent Bishop Dr. Douglass, in connection with his action in suspending and subsequently reconciling one of his priests—De Trevaux—an act which was purely one for the bishop of the place to judge.

Again Mr. Macpherson was successful. Mgr. Quarantotti wrote to Dr. Troy on February 20, 1813, begging him to avoid mixing himself up with the unfortunate disputes among the English vicars apostolic. As to the merits of those disputes, he did not wish to express an opinion, but he entreated Dr.

Troy not to attach himself to either side in a matter which did not concern him.

Both Dr. Milner and Dr. Troy answered, giving their side of the case and their views as to what had occurred, which were so extremely different from Mr. Macpherson's that the poor Roman Monsignor must have been sorely puzzled. For the statements of the two bishops were also on party lines. Dr. Troy, for example, in his letter of October 11, declares that he was surprised and shocked at a meeting on a religious question being held at a "Tavern," and speaks of the Fifth Resolution as having been passed "amidst the clatter of plates and glasses". He compares it to the celebrated meeting held at a hotel in Ems in 1786,[1] to protest against the encroachments of Rome. Both he and Dr. Milner speak of Dr. Douglass as well as Dr. Poynter being in the pay of the Catholic nobility and gentry, and consequently fearing to offend them, lest the large sums of money which they received periodically should be withheld; and both made a great point of the fact that on the Irish side was practically a whole nation, whereas the Catholics of England were a mere handful.

Not content with this, Dr. Troy summoned a meeting of the Irish bishops, which was held on November 12, when a long statement of the two questions in dispute between themselves and their English brethren was drawn out. This statement is of course made from their own point of view, and neither in tone nor in substance does it differ much from Dr. Troy's own letter. Even the allusion to the Synod of Ems appears. In describing the Trevaux case they declare their conviction that he has not retracted, and refuses to retract.[2] In view of the fact that Dr. Poynter had definitely given definite assurances that Trevaux had retracted, this seems a very serious accusation to make. The document was signed by three archbishops, one coadjutor, twenty-one bishops, and four vicars capitular.

Notwithstanding his vigorous answer, however, Milner was becoming alarmed at the course events were taking. He had

[1] The Synod of Ems was held in the *Vier Thurme* hotel at Ems, in August, 1786.

[2] "Nos persuasum habemus hunc presbyterum schismaticum suam doctrinam nec retraxisse nec retractare velle." The full text of the document can be found in Milner's *Supplementary Memoirs*, p. 296.

written previously, with some *naïveté*, that the only chance for the good of religion in England would be for the Pope to invest him with authority in the London District;[1] now, according to information which he obtained, it appeared that there was a prospect of this superiority over the other vicars apostolic being conferred on Dr. Poynter instead. Milner wrote to Dr. Troy saying that if this came to pass, he would resign. He explained his determination as resting on "a deep conviction that I can never act in subordination, or even in conjunction with a man who betrays the cause of the Church on every occasion and in every way, and yet carries a face of piety, zeal and orthodoxy". In another letter he added, "If our Church is ever to be subjugated, I have long set down that man as the cause of the calamity"; and again, "I cannot refrain from denouncing [them][2] to your Grace and our other brethren as *fautors* of a twofold schism, that of Blanchard and that of Charles Butler. As such they ought to be denounced to the Holy See."

During the summer of 1813 Mr. Macpherson received several letters from Dr. Poynter, describing the progress of events, and calling for instructions from the Holy See in the event of the bill which had recently been defeated being introduced again during the following session. A great mystery has hung around these letters. Mr. Macpherson prepared a document spoken of afterwards as the "Ristretto," or summary of the letters which professed to be a selection of them translated into Italian. It was prepared for the use of Mgr. Quarantotti, and a copy is still among the Archives at Propaganda. When Milner was in Rome, copies were circulating there almost publicly. It contains some strange statements, and when Milner, after his return to England, was thinking of publishing a re-translation into English, he expressed his hope that Dr. Poynter would disavow the authorship of the letters. This, however, the latter never did. He complained of his letters

[1] "There appears to me but one practicable remedy for the dreadful divisions and schisms which exist amongst us English and the greater evils with which we are threatened, and that is for the Holy See to invest me with some sort of jurisdiction in the London District." See letter of Milner to Dr. Troy in the *Dublin Archives*, dated January 2, 1813.

[2] Bishops Poynter and Collingridge; see letter dated June 19, 1813 (*Dublin Archives*).

having been garbled and mutilated, but he did not deny having written them. At last Milner wrote to him, asking whether he acknowledged the "Ristretto" as a correct translation of what he had written. He sent the following very guarded reply:—

"My Lord,

". . . With respect to the letters your Lordship alluded to, I must say that to the best of my recollection I never saw the translation of them into Italian, and if I had, I do not conceive myself sufficiently master of that language to judge of the accuracy of the translation.

"I have the honour to be, with great respect, my Lord,

"Your Lordship's most obedient humble servant,

"✠ William Poynter."

Eventually some extracts of the "Ristretto," re-translated into English, appeared in the *Orthodox Journal*,[1] and later on in Milner's *Supplementary Memoirs*.[2] Two letters were quoted, under date June 21 and July 28, 1813 respectively, and a third one without date. In the first Dr. Poynter is made to give an account of the rejection of the bill, and to criticise Milner's action in connection with it. The only clause to which the writer takes definite exception is that which provides against the election of a foreigner or one who has resided out of England, as a bishop: which is declared to be an undue limitation of the jurisdiction of the Holy See. In the second letter the writer is made to rejoice at the rejection of the bill, "as there were several clauses in it which could not be admitted without the consent of the Holy See". He is, however, made to defend the "Long Oath," saying that it contained nothing which had not been previously taken by English or Irish Catholics. The letter next discusses some provisions for the election of bishops in different parts of the Church, on the authority of Sir John Coxe Hippisley. After that an account is given of the edifying conduct of the chief laymen who appealed to the vicars apostolic for guidance with respect to what they could lawfully treat for in the event of a new Emancipation Bill being offered, and in appealing to Rome for a decision, the writer expresses the readiness of the Eng-

[1] November, 1816, p. 432. [2] P. 220.

lish Catholics to abide by the determination of the Holy See, however difficult to human nature. The wording was as follows:—

"The bill will in all probability early in the next session pass into law. The punishment of the refractory is banishment. In case the Sacred Congregation could not approve of the clauses how are we to act? Are we to tell all the Catholics of these kingdoms that rather than consent to those clauses they must go with us into perpetual exile and leave Great Britain without a single Catholic in it? We with the Divine grace will be obedient children of the Holy See; if she commands us to go to the gallows, we will go thither cheerfully."

Father Amherst compares these letters as an account of serious events to *Punch's* "Essence of Parliament"; and they certainly contain statements which we should not expect from the pen of Dr. Poynter. So far as the last extract is concerned, he declared in Rome that "he had never written any such thing"; and Cardinal Litta, who had read all his letters, corroborated him.[1] Fortunately, however, Dr. Poynter's original letters are still extant, for the copying press had recently been invented, and he kept a regular letter-book. By comparing the originals with the re-translation of a supposed Italian translation, we are able to test the accuracy of the double process, and the results are at once curious and interesting.

In the first place, the letter in the "Ristretto" dated June 21, 1813, is based on Dr. Poynter's letter of that date; but it is far shorter, the shortening being evidently the work of some other person. Most of the passages to which Milner takes exception have their counterpart in the original, but they do not always occur in the same order; and in several cases the translation is sufficiently inexact to produce a substantial change of meaning. The other letters of Dr. Poynter are dated July 18, July 24 and August 24 respectively, and they do not bear more than a general resemblance to the remaining two in the "Ristretto". Many important statements in the Italian versions cannot be found in the original. The date

[1] The originals are given in full in the Appendix, together with Milner's "re-translation" of the extracts from the Ristretto.

of the second letter of the "Ristretto" does not coincide with that of any of Dr. Poynter's letters, while the third bears even date with a letter of Dr. Poynter, with the substance of which it has no resemblance whatever.

Under these circumstances, it is of course unjust to attribute any responsibility to Dr. Poynter for the contents of the "Ristretto". And it is difficult to believe—though such is evidently Milner's opinion—that Mr. Macpherson deliberately connived at what can hardly be spoken of as less than a deliberate deception. In point of fact the author was Signor Galeassi, the *minutante* or Reporter, who was a layman. His knowledge of English was very slight, which may perhaps partly account for the dissimilarity between the "Ristretto" and the original.

At first Mgr. Quarantotti showed some disinclination to take any further action than he had already done. He had been considerably impressed by the letter which Dr. Troy had written to him, and was anxious not to involve himself in a dispute with the Irish bishops. Macpherson and Galeassi, however, together succeeded in overcoming his disinclination, and Mr. Macpherson wrote on December 31 that the whole matter of the late bill was to be gone into in a few weeks. All those who would ordinarily have met being out of Rome, Quarantotti gathered together a special congregation, including Mgr. Athanasio and Mgr. Tansoni, Auditors of the Rota; and Mgr. Devoti, one of the Pope's secretaries. They also laid the case before four eminent theologians or "Divines," one of them being Padre Carlo Quarantotti, brother of the Vice-Prefect of Propaganda, a Franciscan, professor of the Roman University, and afterwards General of the Friars Minor.

Mr. Macpherson drew up a case for this improvised congregation to consider, the original of which is still preserved. He entitled it "Observations upon the Present State of Catholics in Great Britain and Ireland, humbly set before Mgr. the Vice-Prefect of Propaganda, by Rev. Paul Macpherson". It appears that only one copy of the bill had reached him, and it had been damaged in the post. Nearly the whole of the part containing the text of the long oath had been lost in transit; the remainder of the bill, however, was intact. Mr.

Macpherson first therefore addressed himself to the task of convincing the members of the congregation that there could not be much amiss with the oath; for if there had been, Dr. Milner and Dr. Troy would certainly have pointed it out. Moreover, Dr. Poynter had said in his letter that with the exception of a single clause—to be considered presently—it contained nothing which was not previously to be found either in the English or the Irish Oaths already taken.

The next point was to prove the necessity for taking action at once. He said that the bill might be re-introduced almost immediately, and it would be impossible to wait for the Holy Father's hoped-for return to Rome; and he endeavoured to show that under these circumstances Mgr. Quarantotti has full power to act.

The rest of the document consisted of a long plea occupying many pages in favour of acceding to all the conditions in the late bill. He concluded with the following additional argument in favour of his contention:—

"It is advisable to pay attention to the present state of affairs whereby England may be able to exercise influence over the person of the Holy Father, and over the temporalities of the Church. To place the Holy See in opposition to the policy of Great Britain might cause great irritation; while to be favourable towards her when the opportunity presents itself might dispose her to be more friendly."

Mr. Macpherson added a comprehensive list of questions to be discussed which we can give in full:—

"1. In view of the danger which lies in delay, should Mgr. the Vice-Prefect, on the part of the Holy See, and by virtue of his unlimited powers, give a decided answer, or should he wait for a decision from the Pope himself?

"2. In the first case, should the Oath prescribed to the Catholic clergy be admitted? In case of any difficulty what changes can be suggested?

"3. Should the Commission proposed by the Government to inquire into the fidelity of candidates for the episcopate and to examine the correspondence be tolerated?

"4. Should the reservation be allowed that no one may be appointed as Bishop or Dean unless they are born of British or Irish parents and have been residing in the country for five years?

"5. Should the King be allowed to approve or exclude persons proposed for the office of Bishop or Dean, according to the regulations laid down in the bill?

"6. Should the Resolution subscribed by the Vicars Apostolic be taken into consideration?

"7. In case the conditions expressed in the bill cannot be altogether accepted, and that the Government will not admit any alteration, what instructions should be given to the Vicars Apostolic?

"8. If in this case and in view of the critical position of the Holy See, it be expedient and convenient to depute Mgr. Poynter, Vicar Apostolic of the London District, who is like a minister in those parts, to recommend to the court the temporal affairs of the Sovereign Pontiff?"

It has seemed well to give full details of this document as throwing light on the much discussed origin of the celebrated Rescript of Mgr. Quarantotti. Milner says that it was obtained "through a series of gross falsehoods and malicious misrepresentations"; and that Quarantotti was "deceived in all the leading circumstances of the case". Milner was not indeed alluding to Mr. Macpherson's *Observations*, which he apparently had not seen; but to the alleged translations of Dr. Poynter's letters to which we have already alluded, and which he attributed to Mr. Macpherson. It is therefore due to the character of the latter to state that nothing is to be found in his *Observations*—which constituted the document on which the congregation in fact based their discussion—to warrant any such accusation. It is undoubtedly a piece of special pleading; but the arguments which he used were legitimate, and there is no statement throughout which he could not have substantiated in a plausible manner.

The improvised congregation met on February 15, 1814, and their meeting resulted in the two Rescripts, which we may speak of as the Theological and Political Rescript respectively, the former of which afterwards became so famous. Both of them were based on Mr. Macpherson's views expressed in the *Observations*. One—the Theological Rescript—was a decision as to the bill, in a sense calculated to be pleasing to the British Government; the other,—the Political Rescript,—was a plea for the aid of that Government on behalf of the

Pope, evidently based on No. 8 of the above questions. It afterwards transpired that both Rescripts were written by Signor Galeassi, after the congregation was over, and that he showed the Political Rescript in draft to the "Divines" alluded to above, but strange as it may appear, the other Rescript, which caused so much commotion, was not shown to any one except to Mgr. Quarantotti, who signed it. The "Divines" had given their opinions on the main question in writing, and that was considered sufficient. Yet the Rescript differed in the form of some of the expressions from those written opinions, and some of the terms were new.[1]

We must now consider the contents of the two Rescripts in detail. We will take the Theological Rescript first.[2] In this Mgr. Quarantotti begins by expressing his satisfaction that it is proposed to emancipate the English Catholics, who by their loyal and peaceable behaviour have so fully merited it. This he says was to be expected from a nation which has especially of late "acquired so much glory in the estimation of the whole world for its equity, prudence, and other virtues". He then proceeds to the question of the Bill. The essential part of his decision is contained in the following words :—

"Having taken advice of the most learned prelates and divines, having examined the letters which have been transmitted to us, both by your Lordship and the Archbishop of Dublin, and the matter having been maturely discussed in a special congregation, it is decreed that Catholics may with satisfaction and gratitude accept and embrace the bill which was last year presented for their emancipation in the form in which your Lordship has laid it before us".

He calls for only one modification, which concerns the Oath—not the long one which all were to take, which he had not yet seen, but the shorter one which was to be administered to priests. This contained a clause by which the clergy pledged themselves not to hold any correspondence with the Sovereign Pontiff and his ministers, which may directly or indirectly subvert or in any way disturb the Protestant Government or Church. Mr. Macpherson had pointed out that any corre-

[1] So Dr. Poynter was afterwards informed when in Rome; see his *Diary* for 1815, and *Dr. Bramston's Diary* under February 7, 1815.

[2] An English translation is given by Butler, iv. p. 518 *seq.*

spondence on religious matters which tended to make converts was an *indirect* attack on the Protestant Church; but the framers of the Oath did not intend to include this within their meaning; they would be content with a promise not to make an open attack on the Protestant Church. Such a promise had already been included in the Irish Oath, and was free from objection. Quarantotti accepted this view, and said that in the event of this Oath being part of a new bill, Catholics should ask for a modification of the wording; but if no alteration could be easily obtained, they might accept it as it stood, provided that they made a public declaration of the sense in which they understood it, and in which alone they could pledge themselves to it.

The remainder of the Rescript is devoted to an explanation of the reasonableness of the Veto and the Placet or Exequatur as set forth in the bill. With respect to the Placet, however, the author shows by his argument that he understood documents bearing on spiritual matters in its widest sense were to be exempted, so that in his interpretation there would be little or nothing for the Commission to inspect. The following were his words:—

"We observe likewise that it is the office of the said Committee to examine any letters which are sent to any of the clergy of Great Britain from the ecclesiastical authorities, and diligently to enquire whether anything be contained therein which may be obnoxious to the Government, or in any way disturb the public tranquillity. Since communication with the head of the Church in spiritual and ecclesiastical concerns is not prohibited, but the inspection of the Committee regards only matters of civil policy, this likewise ought to be acquiesced in. It is good that the Government should not entertain any suspicion concerning our communications."

The other document—the Political Rescript—begins with a statement of the straits to which the Pope was then reduced, his chief offence in the eyes of Napoleon having been his refusal to make an offensive and defensive alliance against the English. It goes on to point out how the British Government had always been friendly to the Pope, and how they had sent their fleet to his aid in 1792. Quarantotti declares that he, as the chief superior to whom the ecclesiasti-

cal affairs of Great Britain are now subject, has long desired to be able to come to the Pope's assistance in some way; but hitherto they had been cut off from communication with the outer world, and no opportunity had offered itself. Now, however, it seemed that there is a possibility of doing something. He begs Dr. Poynter to use his influence with the King of England[1] to beg of him to show his good will towards Catholics, by emancipating them from the Penal Laws, and then to endeavour to ensure that in any treaty it should be stipulated that the Pope should receive back his dominions, and return to Rome together with the exiled Cardinals, for that he (the Pope) has of all the sovereigns of Europe the best and most ancient title to his kingdom; that it is important for the well-being of nations that he should be able to exercise his spiritual office freed from worldly cares and anxieties; and that he is at peace with all men, but especially with the British, to whom he would wish to be united by a perpetual covenant.

It was considered unsafe to entrust these documents to the post, and Mr. Macpherson agreed to take them to England himself. He left Rome on March 10, and travelling through Germany, so as to avoid Paris, reached London on April 26.

[1] Apparently Mgr. Quarantotti was not sufficiently familiar with English affairs to know that the Prince Regent was acting in the place of the King.

CHAPTER XXI.

RECEPTION OF THE RESCRIPT.

We must now return to the story of the events which were proceeding in England whilst the negotiations detailed in the last chapter were in progress. The winter of 1813-14 was spent in drawing out several abortive schemes for Emancipation intended to meet the needs of Catholics, accompanied by "arrangements" by which it was hoped to disarm the opposition of their enemies. Charles Butler went so far as to draft a bill the modest scope of which was to place the English Catholics on the same footing as their Irish brethren: that is to give them the franchise, and to enable them to hold the lower commissions in the army and navy, which were closed against those of their religion in England. Butler thought that they were not likely to get anything better at that time, and that this might be obtained: but the scheme came to nothing. Another plan was initiated by the Rev. John Lingard, who proposed that the vicars apostolic should take the initiative, and issue a proposal of their own. His suggestion was that when a vacancy occurred a list of several candidates should be sent to the Government, who were to undertake to raise no objection except on the score of disloyalty or ill-behaviour; and that from those to whom no objection was raised, a selection should be made by the Pope. Thus his scheme was for a kind of limited veto not altogether unlike that afterwards sanctioned by Rome; but although some of the bishops were at first favourably impressed towards the proposal, it was evident that Milner would never agree to it, and that it would be distasteful to the Irish bishops. For both these reasons they declared against it.

On February 17, 1814, the English Catholic Board prepared what had now become their annual petition to Parlia-

ment, which they entrusted to Lord Grey and Mr. Elliott, as before, for presentation. It was confidently hoped that the division on the question would go favourably to the Catholics, and that it would be followed by a bill. But in the meantime important events were happening on the Continent, which distracted the minds of the legislators from the eternal Catholic question at home.

Towards the end of January the Pope was removed from Fontainebleau back to Savona; and on March 17, the feast of St. Patrick, he was set at liberty. He immediately began his journey to Rome, though he did not enter the Eternal City until the cardinals had been able to join him. On April 11 Napoleon signed his abdication at Fontainebleau, in the very place where the Pope had been confined; and he retired to Elba. Louis XVIII., who now became King of France, came forth from his retirement at Hartwell, and passing through London on his way back to France, was received with royal honours. Early in the morning of April 20, the Prince Regent, accompanied by a numerous retinue, went out as far as the village of Stanmore, near Watford, to meet him, and they escorted him in triumph to London, the whole route being lined with spectators who were loud in their acclamations. The King stayed at Grillon's Hotel in Albemarle Street, where the Prince Regent read him a formal address of welcome; as did also the Lord Mayor on behalf of the citizens of London. The following day the King set out for France, the Prince Regent accompanying him to Dover, where he took leave of him.

It was just a week after this that the Rev. Paul Macpherson arrived in London, bearing with him the Quarantotti Rescripts. Dr. Poynter naturally accepted them without questioning their authority, and forthwith acted on the directions conveyed to him. The public Rescript was translated into English, and appeared in all the newspapers, while a copy was also officially sent to every bishop in the United Kingdom. Dr. Poynter then proceeded to carry out the instructions in the political letter. Lord Castlereagh had gone to Paris, where the first informal negotiations were being carried on previously to the approaching Congress of Vienna. In his absence the Earl of Bathurst was acting as foreign secretary, and to him Dr. Poynter wrote on the lines laid down by Mgr. Quarantotti,

Pope Pius VII.

He subsequently had a personal interview of which he has left the following minute:—

"I waited on Lord Bathurst on May 2nd, and explaining to him in short my object, particularly pressing the claim of the Pope to the protection and influence of Great Britain in the negotiations, I gave him [my] letter, which he read with great attention. He then said that in the negotiations with Bonaparte (at Chatillon) the claims of the Pope as well as those of other Sovereigns to their respective possessions entered into the negotiations, and that Great Britain concurred with the other Powers in the same; that since that time and since the time that this letter was written by Mgr. Quarantotti, a happy change had taken place; that the treaty now was with Louis XVIII., who would certainly be most favourable to the Pope; that the proper measures to be adopted now would be for the Pope to send an ambassador to act in his name in the present negotiations. I repeated again the confidence I had that England would, in consideration of the particular claim which the Pope had on it, particularly favour the claims of his Holiness. He (Lord Bathurst) repeated that the only thing he could recommend was that the Pope should send a person to Paris to support his claims in the negotiation."

It is hardly necessary to add that the prospects of the Holy See were not appreciably affected by this interview. The course suggested by Lord Bathurst was the obvious one, and had already been taken, Cardinal Consalvi being on his way to Paris, where the first negotiations were taking place. Quarantotti's Political Rescript was never heard of again.

The other Rescript, however, produced plenty of effect, though not all of the nature anticipated. It was a great victory for the Catholic Board, and they were correspondingly elated. Milner saw the serious aspect of the case, and determined on an immediate appeal to the Holy Father, who was known to be on his way back to Rome. He had been preparing for some time past to go to Rome, having been summoned there by Quarantotti in the name of the Pope.[1]

Writing to Dr. Troy on March 20, he spoke of setting out "soon after Easter". He had no doubt been delayed by the

[1] So he definitely stated in a letter to Dr. Troy, dated July 31, 1815 (*Dublin Archives*).

disturbed state of the political outlook; but as soon as it was known that the Pope would be back in Rome within a short time, there was nothing further to stop him. He started at the beginning of May, taking no luggage with him beyond two saddle-bags, so as to be free to proceed most of the way on horseback—a method of travelling which, in spite of its fatigues, has obvious advantages in the time of war. Dr. Poynter was called to France at the same time, in order to claim the property of the English colleges, on the restoration of the King. The Rev. James Yorke Bramston accompanied him, and by a curious coincidence they crossed the Channel on the very same day as Milner, whose journey thus became known to them.

In Ireland the Rescript caused far more agitation than on this side of St. George's Channel. Mgr. Quarantotti had written a letter to Dr. Troy to inform him that the Rescript would arrive: when it came, like Dr. Poynter, he looked upon it as final. He wrote to Milner on May 3, "'Rescripta Roma venerunt, causa finita est. Utinam finiatur et error'. We must therefore make a virtue of necessity, and respectfully submit, and endeavour to make the best bargain we can." Incidentally he expressed to Milner his regret for the action he had taken in the Trevaux case, having learnt that he had retracted; and declared his determination to say nothing further about it in future.[1] He also wrote to Dr. Poynter in answer to his letter which had accompanied the Rescript, cordially reciprocating his wishes for mutual co-operation in the future.[2]

Very different was the reception given to the Rescript by some of the other Irish bishops.[3] Dr. Coppinger, Bishop of Cloyne, called it a "very mischievous document," and declared that he had read it "with feelings of disgust and indignation". Dr. Derry, Bishop of Dromore, characterised it as "unnecessary at present, and mischievous in its consequences". But the strongest letter against it was written by Dr. O'Shaughnessy, Bishop of Killaloe. He wrote to Dr. Poynter as follows:—

[1] See letter from Dr. Troy to Dr. Milner in the *Birmingham Archives*.
[2] A copy of this letter is among the Archives at the English College, Rome.
[3] *Orthodox Journal*, May, 1814, p. 193.

"My Lord,

"I have received with indignation your Lordship's letter, together with Mr. Quarantotti's detestable Rescript. I am well aware that the result of this pernicious measure, if carried into effect, would be virtually fatal to the Catholic Religion of Ireland; therefore for myself individually I hasten to protest against it; and though I should stand alone, while I have breath in my body, I will continue to do so. I will only add that from my knowledge and high opinions of Drs. Troy and Milner, I cannot be persuaded that either has joined in the confederacy, or given in an adhesion.

"I have the honour to be, your Lordship's most obedient humble servant,

"T. O'Shaughnessy.

"Newmarket-on-Fergus, *May* 9."

This last letter was more in accordance with the feeling of the clergy and people than Dr. Troy's. When the Rescript became known, the country was thrown into a state of agitation. Not only was the decision in opposition to the determined will of the people, but the indignity of its having been sent through an English vicar apostolic instead of being addressed to their own bishops appealed strongly to them. The idea was forced upon them that the Rescript was a triumph of the English Catholics over their brethren in Ireland. Dr. Poynter in particular became accredited by them with having brought the whole state of things about, and for long afterwards he was spoken of in harsh and abusive language. He received anonymous letters, in which he was styled "a mock Doctor and perverted wretch"; "an infamous hypocrite"; "an unprincipled and unworthy pastor"; and such-like phrases. One writer proceeded to say that "the people of this abused and degraded nation despise your manners as much as the corruption which engendered it"; another said, "I will continue to punish you before Satan gets you into his infernal grasp"; another gave him a definite warning: "Be it known to you and all other vile apostates that the Catholics of Ireland will rather suffer persecution during 300 years more than surrender their sacred Church to the vile and despicable rescript of either you or your perverted colleagues",

This language, strong as it is, hardly exaggerates the feelings of the people. Meetings were held in all parts of the country, at which the Rescript and its author were denounced, often in unmeasured terms. On May 12 the clergy of Dublin came together and passed resolutions against the Rescript. They called upon Archbishop Troy to take action in the matter—a call to which he willingly responded, by summoning a meeting of all the bishops of Ireland.

The meeting took place at Maynooth on May 26 and 27. It was found that the determination to oppose the Rescript was practically unanimous. The bishops passed the following Resolutions:—

"1. That a congratulatory letter be addressed to his Holiness Pius VII. on his happy liberation from captivity.

"2. That having taken into our mature consideration the late Rescript of the Vice-Prefect of Propaganda, we are fully convinced that it is not mandatory.

"3. That we do now open a communication with the Holy See on the subject of this document, and that for this purpose two Prelates be forthwith deputed to convey in person our unanimous and well-known sentiments to the chief Pastor, from whose wisdom, zeal and tried magnanimity we have reason to expect such decision as will give general satisfaction.

"4. That the two last resolutions be respectfully communicated to the Right Hon. Earl of Donoughmore, and to the Right Hon. Henry Grattan, with an earnest entreaty that when the question of Catholic Emancipation shall be discussed in Parliament, they will exert their powerful talents in excluding from the bill intended for our relief those clauses which we have already deprecated as severely penal to us and highly injurious to our religion."

It was understood that Milner would act in Rome on behalf of the Irish bishops; as a second representative they deputed Dr. Murray, coadjutor to Archbishop Troy. He set out immediately, and arrived in Rome before the end of June.

We now return to the consideration of events in London. On May 27 Grattan presented to the House of Commons a petition for Emancipation from the city and county of Cork, and he took the opportunity to say that he did not propose to raise the Catholic question again that year—a determination

of which Sir John Coxe Hippisley expressed his approval. Apart from any other reason, the moment would not have been propitious, as London was preparing for one of her greatest pageants of modern times. The Emperor of Russia and the King of Prussia were about to visit the British capital. The ostensible object was to hold some conferences with the Prince Regent in anticipation of the approaching European congress. The event was made the occasion of a series of feasts and celebrations which Cardinal Wiseman—who as a boy happened to be in London at the time—describes[1] as "splendid but somewhat childish"; adding that "they belonged decidedly to the age of pavilions and pagodas". They lasted for the greater part of a month. The two monarchs sailed from Boulogne on Monday, June 6, accompanied by a numerous suite. They landed at Dover the same evening. The following day they proceeded to London, where they were received by the Prince Regent. For three successive nights the city was illuminated in elaborate fashion. The royal guests were provided with plenty of entertainment. On one day they dined at the Guildhall; on another they attended a grand review of troops; on a third a visit was paid to the University of Oxford; and a little later on they assisted at an elaborate ceremony in the city of London, at which the treaty of peace with France was formally and solemnly proclaimed to the nation. After this they attended a grand naval review at Portsmouth; at the conclusion of which they set out for Dover, where they embarked on their return journey on June 27.

Among the many distinguished guests of the English nation at that time, the most interesting figure to the Catholics was that of the well-known Cardinal Consalvi. He arrived three days after the royal party, being the bearer of a letter from his Holiness. He had shown some excusable hesitation before approaching a land where for more than two centuries no cardinal had dared to set foot, and where all diplomatic intercourse with the Holy See was prohibited under the severest penalties. It is true that twenty years earlier Mgr. Erskine—afterwards Cardinal—had been received at the Court of St. James as an informal envoy of the

[1] *Last Four Popes*, p. 111.

Holy Father, and in view of the character of his mission, he had been allowed to dress in black on being presented to the King; but Consalvi's case was a great advance on this. Not only was he already a cardinal, but he came ostensibly as the representative of his Holiness. It was only the fellow-feeling engendered by the fact of the Pope having been one of the victims of Napoleon's tyranny that softened the minds of the English people sufficiently to render his visit possible. Yet when he came he was received with civility and even cordiality by all.

From his first arrival Consalvi behaved with great circumspection, and by his prudence and tact created a most favourable impression. He put aside the ordinary dress of a cardinal, and following the precedent set by Mgr. Erskine, appeared in a black costume; and he was careful to avoid all questions of precedence. On the Continent, even in Protestant countries, the Papal Legate was accorded precedence of all below the rank of royalty:[1] this was hardly to be expected in the England of 1814. Consalvi met the difficulty by staying away from all public functions, and he was not officially presented to the Prince Regent until after the departure of the two monarchs and their suites. He lived quietly in London, whither that inveterate traveller, Bishop Moylan, journeyed to meet him. It is remarkable that although Dr. Poynter while in Paris had begun an acquaintance with Consalvi destined to have important results, he did not think it necessary to remain in London during the Cardinal's visit. He had arrived from France a few days before and had many engagements to fulfil after his absence, not the least important being the meeting of vicars apostolic at Durham, to be mentioned presently. He went about these without reference to the Cardinal's visit.

Although Consalvi avoided all public receptions, he was far from being inactive during his residence in London. It has been remarked[2] that the three monarchs then in the metropolis represented the three chief phases of opposition to the Papacy, the Greek Schism, German Lutheranism, and English Protestantism. Consalvi, by the charm of his personality and his strength of character, gained an ascendency over all the three, so that it

[1] Nielsen, *Papacy in XIX Century*, i. p. 351.
[2] *Memoirs of Consalvi*, i. p. 32.

was in truth in London that he prepared the way for his future success at the Congress of Vienna. But it is his influence over the Prince Regent which chiefly concerns us here. He wrote an account in glowing terms to the Pope from time to time during his visit. The following fragment of a letter, without date, is given by the Editor of his *Memoirs* :—[1]

"The Prince Regent and the highest of the aristocracy have made a point of overwhelming me with every kind of consideration, and most friendly and respectful kindness. And in our familiar intercourse, when gently and in season, I turn the conversation on to certain religious questions which are very delicate to touch on, the Prince Regent, putting his hand to his mouth as though telling me to be silent, but in reality encouraging me to speak, would call out with an inimitable accent of affected fear, and in effect of good humour, 'Hush, hush, Cardinal tempter: when listening to you I seem to see Henry VIII. and his daughter Elizabeth following me as avenging spirits'."

The following letter from the Pope to Consalvi is dated June 21, 1814 :—[2]

". . . . We rejoice with you at the reception accorded to you in England, and especially the gracious friendship which the Prince Regent bestows on you. We beg of you, and we command you to testify to his Royal Highness the expression of our most affectionate and sincere gratitude. But in the midst of these events which are so wonderful as to confound human reason, we must not allow them to dazzle us by their happy succession. You are not only charged with a great diplomatic mission, you are also the representative of the Vicar of Christ on earth. In this quality we beg of you to have the heart of a father on behalf of those poor English and Irish Catholics, who for centuries, and from generation to generation, have suffered in their goods, their liberty and their rights, in order to remain true to the ancient faith of their ancestors. You are the first Cardinal since the reign of Elizabeth to obtain permission to tread on the soil of Great Britain. This privilege has its obligations, and we must not shut our ears to the cry of the persecuted. There is no need to tell you what the Church expects of you. We know you well enough to feel

[1] P. 83, *note.* [2] *Memoirs of Consalvi*, i. p. 82.

sure that you will take advantage, with moderation and prudence, of the exceptional situation in which you are placed. Let nothing be done precipitately; but at the same time nothing must be forgotten which could mitigate the lot of the Catholics. By a favour for which we return thanks to heaven, the Prince Regent covers you with his regards, and holds you in singular esteem. Implant in his heart the desire to show himself just towards subjects who have never failed in their duties as citizens, and you will see this little grain of mustard-seed bring forth abundant fruits. Continue always to sow; it is only the reaper who will later on know the amount of the harvest."

Shortly after the departure of the two monarchs, during the early days of July, Consalvi was formally presented to the Prince Regent by Lord Castlereagh, who had now returned to London. The Pope, in an allocution the following year, expressed his thanks for the manner in which the cardinal had been received, and for the fact that he had appeared publicly "by the kind and generous permission of the Government, adorned with the distinctive badge of his dignity".[1]

Throughout his visit, however, Consalvi continued to act with great caution, realising fully that any undue interference in English politics would at once be resented, and would injure the essential object of his visit, while it would not be likely to help to gain Emancipation. He carefully avoided the mistake which Mgr. Erskine had made of allowing himself to be fêted by the English Catholic laymen, and was scrupulously careful not to act in any way as an intermediary in their relations with the vicars apostolic. He declared with perfect truth that before his arrival in England, he had not even heard of the Quarantotti Rescript, and he refused to be drawn into any discussion about it.

In truth the laymen were at this time becoming somewhat anxious about the Rescript. It was known that the Pope had returned to Rome, and that the Congregation of Propaganda was once more in full working order. Cardinal di Pietro had ceased to be Prefect of that congregation, and Cardinal Litta, a member of a noble Milanese family, had been appointed in his place. He was not personally known to members of the

[1] See Cardinal Wiseman's *Last Four Popes*, p. 112.

Board; but they were aware that Milner had gone to Rome, and they naturally suspected that he would endeavour to induce the new cardinal prefect to recall the Quarantotti Rescript. Mr. Macpherson had indeed assured them that it was irrevocable; but they were not entirely convinced of this, and in order as far as possible to make sure that it would be so, they decided to address a letter of congratulation to the Holy Father on his liberation, and to take the opportunity of expressing their satisfaction with the Rescript.

An address was accordingly drawn out and passed at a meeting of the Board on June 17. Milner describes it as "one of those addresses from the manufactory of Lincoln's Inn, which are there fabricated at a short notice, for all sorts of purposes, and in particular either for the Pope or against him". The full text can be found in Butler's *Historical Memoirs*.[1] Notwithstanding Milner's description, it will be found to consist for the most part of a genuine and evidently sincere declaration of loyalty to the Holy See, and of sympathy with Pius VII. in his late sufferings. Nothing could be more proper and edifying, as even Father Amherst admits.[2] It contains, however, one paragraph which he characterises as "very bad," and as that paragraph leads on to the main object of the Address, we will give that part in full:—

"These imputations on our Church from persons who had viewed her with those long-rooted prejudices which had prevented them from ever examining her doctrines gave us less pain, most holy Father, than the reproaches which were poured on us by some of our own brethren, who ceased not to accuse us as apostates, and ready to sacrifice our faith to the acquisition of worldly advantages, and for temporal to barter the eternal. Conscious that there was not one amongst us who would not have turned with disdain and horror from him who could have proposed to us this impious and foolish traffic; certain that we might render to Cæsar the things that are Cæsar's without ceasing to render to God the things that are God's; and not forgetting that our Divine Master ordered his disciples to fulfil the one as well as the other of those high duties, we were not affrighted by the menaces of those our

[1] IV. p. 523.
[2] II. p. 156. For the text of the Address, see Butler, iv. p. 525.

bosom enemies. And we have lately, with unspeakable joy, received from those venerable men to whom your Holiness had in your absence delegated the power of enquiring into and sanctioning by their approbation the conduct of the faithful, a rescript in which after a full examination they declare their decided sense of the blamelessness of our conduct, and use the most cordial expressions of respect and thanks to the legislators of our country, who had by the bill proposed last year in Parliament, intended to remove all impediments to the union of British hearts and hands in the common cause, and for the common good of our native land. To the sentiments contained in this rescript we have given our fullest and most unequivocal assurances of adherence and respect; and we have exhibited the document to our countrymen as containing the most decided proof that no part of our submission to and union with the Apostolic See can be construed to interfere with our loyalty to our country and our allegiance to our sovereign; confident that on the return of your Holiness to the free exercise of your Apostolic functions, we shall receive the assurance that these venerable depositaries of your authority during your captivity have spoken the genuine and full sentiments of your Holiness's paternal heart towards the faithful of these countries."

The expression "bosom enemies" referred of course to Milner and his friends, and may perhaps be taken as an answer to his speaking of Charles Butler and his friends as "false brethren". Such language is an unfortunate evidence—if any were needed—of the length to which the misunderstanding between the two parties had proceeded. Mr. Macpherson promised to return to Rome, and in due time to present the address to the Holy Father.

While the address was being discussed, Dr. Poynter was starting for Durham, where the vicars apostolic were to meet for the fourth year in succession, though he was the only bishop who had made the journey on all four occasions. This time there was no question of inviting Milner, as he was out of the country. The other English vicars apostolic were all present, as well as Dr. Cameron, Bishop of the Lowland District of Scotland, while the Revv. James Yorke Bramston and Paul Macpherson attended by invitation.

The meeting opened on June 20, and lasted five whole days. The Rev. Paul Macpherson gave an account of all the negotiations detailed in the last chapter, which had led to the Quarantotti Rescript, and assured the bishops that it was final and irrevocable. The vicars apostolic proceeded to vote an Address to the Pope, on the occasion of his re-entry into Rome, and they also drew up a long letter to the new Prefect of Propaganda, congratulating him and professing their loyalty to him. They then proceeded to discuss various questions connected with the English mission. The most important of these concerned the Rescript, on which they give their views in full. It will be well to quote this part of the letter *in extenso* :—

"When we judged it well," they write, "to refer all the questions and difficulties concerning the law for our Emancipation to the Apostolic See, the Rev. Paul Macpherson, who has transacted all our affairs at Rome, set forth the whole matter to the Sacred Congregation and humbly solicited that an answer might be given without delay as we expected that the same difficulties which we had experienced last year would recur anew at the beginning of the present year. A Rescript was benignly given by the Sacred Congregation on the 16th day of February, and conveyed to us with all speed by the same Rev. Paul Macpherson. This Rescript meets and removes all our difficulties, although it concedes nothing more to our Government than what nearly all our legislators rightly know, from authentic documents which are before them, is conceded to other non-Catholic Governments towards their Catholic subjects. But it has been well observed that the Sacred Congregation commands nothing by this Rescript, but by removing the obstacle which might stand in the way of the desired conciliation, benignly permits and exhorts Catholics to accept with a just and grateful mind this law which will free them from the penalties under which they lie." [1]

If we compare this letter with the resolution passed by the bishops eight months earlier, it would appear at first sight that they must have changed their views to a considerable extent; for they had pronounced the clauses of the bill to be

[1] See draft in Dr. Poynter's letter-book. It was of course translated into Latin before being despatched.

such that no Catholic could agree to. On closer inspection, however, we find that their pronouncement had been based on the supposition that the Holy See had not been consulted. This was now changed, and assuming the Rescript to be duly authentic, they came to the conclusion that the Holy See had given the approbation necessary to render the clauses admissible, at least in the sense in which Quarantotti understood them. There can be no question that they accepted the Rescript fully and without demur, and that even if the concession was more complete than they themselves anticipated, or even wished for, the conciliatory tone of the letter was so pleasing to them that they were well satisfied with what had occurred.

The bishops discussed several other matters before separating. The most important of these concerned the rumoured restoration of the Society of Jesus, which was said to be imminent. This is part of a large question which we shall have to discuss in detail later on. It is sufficient here to record that the bishops passed a resolution declaring that "their restoration for England would be very prejudicial to the cause of the Catholic Religion in Great Britain, for various and important reasons". This resolution was not passed unanimously, the dissentient being Dr. Collingridge—himself a regular—who stated that he had not made up his mind on the subject.

On the conclusion of the meeting, Dr. Poynter returned to London, arriving in time to assist at the solemn High Mass of thanksgiving for the restoration of the Pope, which had been fixed for July 6, at which Cardinal Consalvi was to be present, this being the only public occasion on which the Catholics of London were able to see him. The following short account is taken from the *Orthodox Journal*:—[1]

"On Wednesday the 6th inst. a solemn High Mass was celebrated by the Right Rev. Dr. Poynter, V.A. of the London District, assisted by his clergy, at St. Patrick's Chapel, Soho Square, in thanksgiving to the great disposer of events for His merciful providence in restoring to his Apostolic functions the Supreme Head of the Catholic Church, Pius VII., who had so long lingered in the dungeons of an unprin-

[1] July, 1814, p. 282.

cipled despot, with the most courageous and heroic fortitude, rather than resign the spiritual authority vested in him by the Divine promises of our Blessed Saviour to worldly policy. The number of Clergy attending amounted to upwards of forty; thirty-three of whom, including the venerable Prelate, appeared in their respective habiliments. Dr. Rigby and Dr. Bramston officiated as deacon and subdeacon. The mass was sung by the clergy, and the whole ceremony was awfully solemn and impressive. A discourse was preached upon the occasion by the Rev. Mr. Fryer;[1] and a *Te Deum* was likewise sung by the clergy. The solemnity of the scene was considerably heightened by the presence of his Eminence Cardinal Consalvi, and the Right Rev. Dr. Moylan, the venerable and dignified Bishop of Cork, who were placed in a seat by the side of the altar. To the Catholic the august ceremony could not fail of being sublimely grand and edifying; and such an one has not occurred till the present instance since the Reformation."

Three days after this, Mr. Macpherson set forward on his return journey to Rome. During the next nine months the Eternal City became the centre to which the contest concerning English Catholic affairs was transferred. We must therefore devote the next two chapters to an account of all that took place there.

[1] Head chaplain at the Portuguese Embassy Chapel.

CHAPTER XXII.

THE APPEAL TO ROME.

THE triumphal entry of Pope Pius VII. into Rome on his return from captivity took place on May 24, 1814. A few days later Milner arrived, this being almost the first occasion on which an English vicar apostolic had ever set foot in the Eternal City.[1] He took lodgings off the Piazza di Spagna where he remained during the greater part of his stay in Rome.[2]

A few days after his arrival he had an audience of the Pope, who asked about affairs in England, and whether the bill for Catholic Emancipation had passed. Milner answered, "There is no question, Holy Father, about an Oath or an Act of Parliament; Emancipation will take place, but not till there is a great change in his Majesty's counsels. In the meantime, schismatical measures have been carried on among our Catholics, as I am prepared to prove to your Cardinals."

This was a very serious accusation to make under such circumstances, and its very abruptness made it hardly likely to create a very favourable impression. Milner himself was satisfied with his reception; but after he was gone the Pope was reported to have spoken of him as "a firebrand".[3] He indicated the heads of the various congregations, so that Milner might know with whom he had to deal. Of Cardinal Litta, in addition to other good qualities, the Pope said that

[1] The only exception was Bishop Ellis who went to Rome about 1696, and never returned to England. He eventually resigned his vicariate, and became Bishop of Segni.

[2] His letters to Cardinal Litta are dated from Via S. Sebastiano. Husenbeth's statement that he lived at the house of the Passionists on the Coelian Hill is inaccurate, and probably due to the fact that he made a retreat there shortly before he left Rome.

[3] "Un tizzone": see letter of Rev. P. Macpherson in the *Westminster Archives*.

he possessed the valuable qualification of being able to read English.

Milner naturally came across other Roman dignitaries among whom was Cardinal Somaglia, Secretary of the Holy Office, shortly afterwards appointed Bishop of Frascati, with whom he had already corresponded; the well-known Cardinal Pacca, who in the absence of Consalvi was acting as Secretary of State; and others. He says that Mgr. Quarantotti refused to converse with him on the subject of the Rescript; but that he found all the others "cheerful, communicative and friendly". He proceeded to put his whole case into writing, and in a few days he handed Litta a memorial in which he set out all his grounds of complaint against the other vicars apostolic and the Catholic laymen, concluding with an offer to resign his district should this be considered for the advantage of religion. He also gave Litta copies of all his various pamphlets which he had brought with him, and likewise distributed them among other cardinals who had any knowledge of English.

These representations produced the required effect. A letter was drawn out and copies sent both to Dr. Poynter and Dr. Troy. The following is a translation of the most important part:—

"*June* 25, 1814.

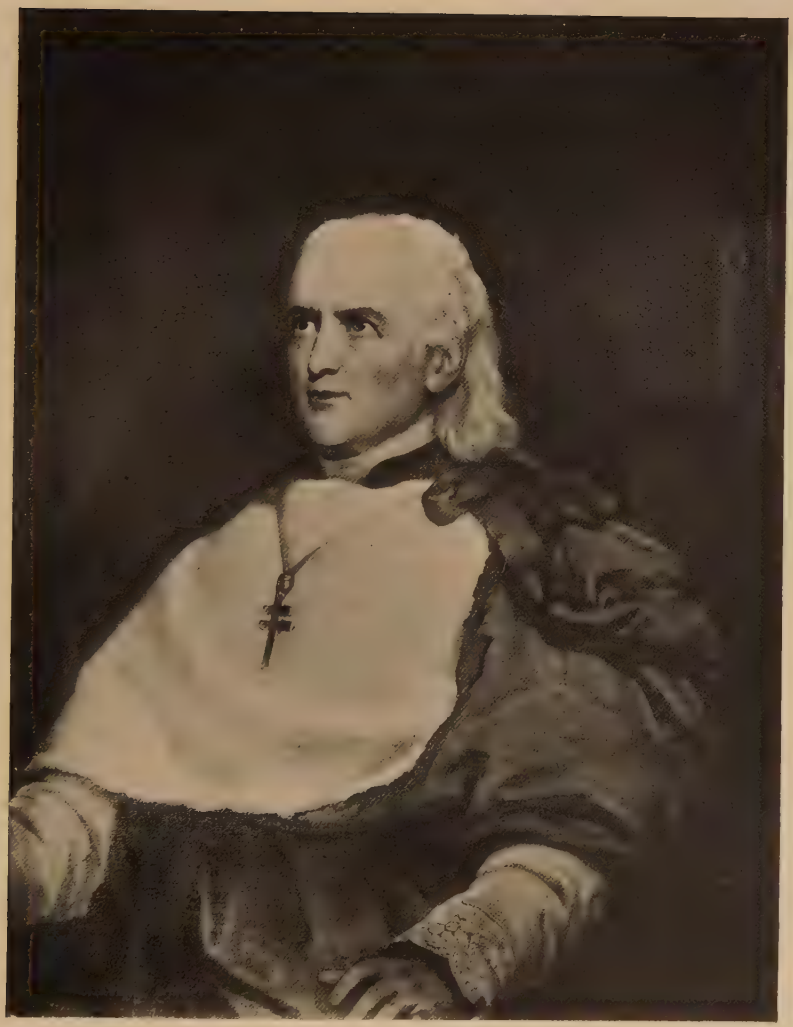
". . . With respect to the Resolutions which during the most unfortunate captivity of the Sovereign Pontiff and the dispersion of all the Cardinals, were taken by the Reverend Father Secretary of this Holy Congregation while he discharged the office of Pro-Prefect, about the conditions which were then proposed for the Emancipation of Catholics from the Penal Laws, the absence of the Sovereign Pontiff, and the grave danger to which Catholics were said to be exposed if the proposed law were passed by Government and then rejected by them, were the reasons why the said Prelate in such a crisis took those measures which, having taken advice, seemed to him most suitable. Now, however, since by the singular goodness of God, both the most blessed Father and the Cardinals of the Roman Church have returned, it has seemed good to His Holiness that a matter of such importance should —as indeed is fitting—be considered as a whole in a general

Congregation, that by the advice of the Cardinals whatever shall seem just and most expedient for the Catholic cause should be decreed by the supreme judgment of His Holiness. I will therefore report as soon as possible what His Holiness shall decide in this most important affair."

This was of course equivalent to a revocation of the Quarantotti Rescript, so that when Dr. Murray arrived in Rome a few days later he found the chief object of his journey already accomplished. Dr. Milner had his second audience of the Pope, in company with Dr. Murray, as representatives of the Episcopate of Ireland, on July 5. The characteristics of the two bishops stood out in curious contrast, Dr. Murray being specially mild and suave, and having a good knowledge of Italian, to which language Milner was a stranger. His Holiness spoke of his interest in Catholic Ireland, and assured the two bishops the whole matter of what conditions were to be conceded for the sake of Emancipation should be discussed by those competent to decide. He had indeed taken it out of the hands of Propaganda, and referred it to a special congregation; but it is hardly necessary to add that there was so much work awaiting the cardinals in the reorganisation of the Church after the Pope's return to Rome that some months passed away before the matter came up for consideration; and in the meanwhile fresh events had happened.

Two works of piety which Milner had in view received practical encouragement from the Holy Father. One was the practice of Devotion to the Sacred Heart. Milner petitioned for the granting of a plenary Indulgence on the feast of the Sacred Heart, and on the first Friday of every month, transferable for a lawful reason to the following Sunday, which was granted by the Pope in an Indult dated June 27, 1814, for fifteen years; and afterwards renewed by his successor for another fifteen years, and then in perpetuity. The other was the *Societas Libera*, a voluntary association of secular priests not unlike the modern "Apostolic Union," [1] by which members bound themselves to certain regular observances. For this association he begged the same indulgences as were enjoyed

[1] For the benefit of those not versed in ecclesiastical matters, it may be explained that the "Apostolic Union" is a society of secular priests who bind themselves to a certain stricter rule of life than is otherwise obligatory on them, and to additional religious exercises.



Archbishop Murray

by the Sodality of the Sacred Heart; and this request also the Pope granted.[1]

If Milner had limited his mission to obtaining a withdrawal of the Quarantotti Rescript, and securing a thorough examination of the whole question with which it dealt, he would have earned the gratitude of all good Catholics. For the Rescript might easily have proved a very mischievous document, in the event of another bill being brought forward; while on the other hand, in view of the late disputes about the veto and kindred subjects, some positive guidance was urgently called for.

Unfortunately, however, Milner did not limit himself to this question. He had secured the ear of Cardinal Litta, who read and studied all his pamphlets, and accepted his whole view of the case between him and the other vicars apostolic. In his numerous interviews with the Cardinal Prefect he continued to impress his views upon him and with complete success, so that when the Rev. Paul Macpherson arrived in the early days of August, he found Litta's mind completely made up upon the whole question. Writing to Dr. Poynter, Mr. Macpherson says,[2] "[Dr. Milner] represents you all as venal, corrupted people, entirely sold to the Catholic laity, whom he represents as undermining the Holy See and religion. He calls them by no other name than Cisalpines, which he takes care to interpret as 'enemies to the Pope'." Milner also appears to have said that certain English Catholics went by the name of "Protesting Catholic Dis-

[1] It is no doubt in consequence of these petitions, and the fact that Milner dedicated an altar at Oscott to the Sacred Heart, that he has been generally credited with having introduced that devotion into England. This, however, is far from being the case: on the contrary, it was a favourite devotion among English Catholics long before Milner's time, and the only reason that there were no altars under that dedication was that there were at that time no side altars of any kind in the churches.

In the Museum at St. Edmund's College, among the collection of English prayer-books, is one entitled "The Devotion to the Sacred Heart of Jesus," printed at Bruges in 1765. The frontispiece is our Lord, showing His Heart all on fire, with the legend "Son, give me thy Heart: Behold Mine". It gives a full explanation of the devotion and how to practise it, and a large number of prayers, etc. in honour of the Sacred Heart. The book seems to have been much used by English Catholics, and it is quite probable that Milner learnt the devotion from it.

[2] This and the following letters of Rev. P. Macpherson quoted in this chapter are among the *Westminster Archives.*

senters"; that Charles Butler, their leader, had such influence over Dr. Poynter that he practically ruled him; that in consequence Dr. Poynter had given his countenance to the objectionable clauses of the late bill, and would do the same again should occasion offer;[1] and of course the Trevaux case was fully reported. Finally—we quote Mr. Macpherson again—"To all former accusations against you, Dr. Milner has added fraud by depriving him of his share of the *Dataria* money[2] sent you from hence: that all your clergy are sold to the laity: that the laity are enemies to Rome and without religion: that Dr. Poynter is the minister of all mischief, not from malice, but from weakness".

The accusation against Dr. Poynter of financial irregularity is so extraordinary that it will be necessary to give some details about it. The whole statement will be found printed in full in the Appendix.[3] Briefly it was said that various sums had been paid to Dr. Poynter on behalf of the English Colleges formerly existing at Douay, St. Omer, Paris, Lisbon and Valladolid: that these moneys had been distributed among the other vicars apostolic; but that the share due to Dr. Milner had been withheld, on account of the disputes between him and the others.

Apparently Cardinal Litta believed in the truth of the accusation, for he wrote a letter to Dr. Poynter reciting the case as he had received it, and peremptorily called upon him to make restitution. "Why have you refused to pay your brother what belongs to him by right?" he wrote, "I desire you therefore to clear yourself of this accusation and to pay him what is his."

The letter was dated July 30, 1814—a few days before Mr. Macpherson's arrival—but it never reached its destination. This was not particularly wonderful, as the posts of that time were very irregular and unsafe, and Litta had not taken the precaution which Mr. Smelt and Mr. Macpherson had been accustomed to do, of sending a duplicate by the following post. As weeks went by and no answer came, Milner began to say that Dr. Poynter had no answer to make.

[1] See the Diary of Dr. Poynter (*Westminster Archives*) where these are enumerated as Litta's charges against him.

[2] *I.e.* the money from the Papal Treasury.

[3] See Appendix G.

Cardinal Litta accepted this explanation, and did not learn the truth till many months later.

After this Mr. Macpherson felt convinced that the only hope of arriving at a just decision of all these various questions would be for Bishop Poynter or Bishop Cameron to come to Rome. "I have seen many of your friends," he wrote to Dr. Poynter, "they all to a man unite in requesting your Lordship will not delay a moment on the receipt of this, in setting out for this city. Your presence is absolutely necessary. I alone am too weak to stand against Dr. Milner and all Ireland at his heels. You cannot have an idea of the calumnies he has given in to the Propaganda against you all. To-day I will see the Pope and afterwards Litta, and will tell them you are coming." And a day later in sending his duplicate, he added, "I saw the Pope, told him your Lordship will be here. I am at present combating Cardinal Litta whom they have entirely gained over. Bring Mr. Bramston with you. There will be work enough for you both."

In the meantime Mr. Macpherson did all in his power; and the activity and cleverness which he showed was remarkable. "For the first week after my arrival," he wrote, "I had scarcely time to perform the necessary duties of my calling—remonstrating with one Cardinal, persuading another, explaining to a third, etc., discussing the whole subject in question with the Divines of their Eminences, engrossed every moment that I could possibly spare." He employed an ecclesiastical lawyer to draw up a full argument in favour of Quarantotti's Rescript, defending his power to issue it, and endeavouring to show that it would be against all precedent to recall a document issued under such circumstances.

While Mr. Macpherson was occupied in this manner, Milner was not idle. He had frequent interviews with Cardinal Litta, in which he gave his answers to the various allegations of Mr. Macpherson. He spoke with his usual warmth of style, to which Cardinal Litta was hardly accustomed. In pointing this out, the cardinal took the opportunity to expostulate with Milner on the asperity of his language in his letters and publications, and apparently the bishop felt the reprimand severely. In his next letter to Litta he wrote:—[1]

[1] *Archives of Propaganda*, Cong. in Anglia, vol. 146, fol. 499.

"At the same time that I thank your Eminence for the candour with which you communicated the charges against my controversial writings in the last conversation I had the honour of holding with you, I cannot but acknowledge that the credit which you appeared to give to those charges has ever since deeply affected me. Should your Eminence continue to think that I have publicly offended against fraternal charity, I ought to make that public retractation which I expressed myself ready to make: on the other hand, should I have disgraced the cause which I have for twenty-four years advocated, by my mode of conducting it, I am unworthy to appear in its defence any longer."

A little later he wrote:—[1]

"I should be truly happy should your Eminence deem it expedient for me to meet my presumed accusers in your presence on the above mentioned or any other charges against me. Should your Eminence deem this inexpedient, and yet still continue to blame my well-meaning efforts in defence of a sacred cause, which in England has been left almost solely to me, I humbly petition that (to prevent similar complaints in future) I may be ordered by the Holy See to confine my writings and other public labours to the general doctrine and morality of the Catholic Church, without interfering with any question or business in future respecting new oaths or discipline which may be proposed to the British members. I am the more inclined to make this petition, as without some substantial and efficacious support from the Holy See, I am convinced that it will be impossible for me to meet with the same success in defending her cause that it has been the will of God I should meet with on different former occasions."

When not engaged in business, Milner was assisting at ecclesiastical ceremonies or sight-seeing in one way or another. He wrote an account of what he had seen, which appeared anonymously in the *Laity's Directory* for 1815 though the context showed plainly enough who was the writer. His enumeration of the great functions at which he had assisted are a sad reminder to us of the glories of the past, for most of them are unknown in the Rome of to-day. At the time of Milner's visit, they were celebrated with unusual solemnity,

[1] *Ibid.*

owing to the recent return of the Pope after his exile. The following is an extract from the letter:—

"I have had opportunities of witnessing several of the most striking festivities and ceremonies of religion in this its most central place—the Procession of Corpus Christi, and the festival of the Prince of the Apostles at St. Peter's and the Vatican, in both of which the Pope is the chief celebrant; the commemoration of St. Paul in the venerable church of that light of nations, in which was permitted to the most unworthy of his devotees to perform the sacred mysteries over his sacred reliques; the festival of St. John the Baptist at the mother Church of the Christian world, the Lateran Basilica, and that of St. Mary *ad Nives*,[1] and that of the Assumption, at the inimitably beautiful fabric of St. Mary Major, all of which festivities were consecrated and cheered with the benign and consoling aspect of our beloved father Pius VII."

After this Milner alludes to the re-establishment of the Society of Jesus, which took place during his stay in Rome, in language as though he wished to invite controversy on the measure. He writes as follows:—

"I have witnessed other sacred ceremonies of a more extraordinary nature. I was present in the Sodality Chapel of the magnificent church of the *Gesu* on the Octave day of the festival of St. Ignatius, when Pius VII., after celebrating the sacred mysteries over the tomb of that saint, surrounded by his College of Cardinals and by several Prelates, reversed the decree which his predecessor Ganganelli was forced by the infidels and bad politicians of the times to make, and after a slumber of forty-one years awakened into new life the Society of Jesus. This event I learn is considered by some of your London Catholics as the downfall of the Catholic religion; which proves how different their ideas are from those of the Vicar of Jesus Christ."

He then proceeds to an account of other of the ceremonies which he attended, ending with a personal description of Pope Pius VII.:—

"But the most edifying spectacle of all others which I have beheld in this Christian capital," he writes, "is the

[1] August 5. Being the titular feast of St. Mary Major, it was kept with even greater solemnity than that of the Assumption.

venerable Pontiff himself, who is truly a saint upon earth. Rigorous to himself and absorbed in devotion, he is at the same time the *servus servorum Christi*, being indefatigable in his personal attention to and labours for the whole Catholic Church, open at all times to the visits of all persons who have business with him, and charming all who do visit him with a patient attention, a benign sweetness, and an affecting piety, which exceed my powers of language to describe. In fact my voice was suppressed by my sobs and tears during a considerable part of my first audience with his Holiness, and I was forcibly led to believe the miracles reported of him since as well as before his return to Rome."

In the concluding paragraph of his letter, Milner is once more drawn into the region of controversy, stating that "[Monsignor Quarantotti], who had forsworn his lawful sovereign, and bound himself by oath to the impious laws of Bonaparte, with his advisers Mgr. Devoti and Belli, etc., after a long exclusion, has at last been admitted to make such excuses as it was in his power to make".

The advisers were of course those who were concerned in the Rescript. Milner had previously written in similar terms to the *Orthodox Journal:* Mr. Macpherson accordingly felt himself called upon to contradict what he said. Writing to Bishop Gibson on September 21, he says, referring to these assertions:—

"I am authorised and even required, both by the Pope, and by Cardinal Litta to write to your Lordship that the whole and every circumstance of them is false, that Monsignor Quarantotti never had the smallest reproof from his Holiness for the decisions contained in his letter to Dr. Poynter, that he has not for one moment been in disgrace with his Holiness, nor for one moment deprived of his office as Secretary to the Congregation of Propaganda. Your Lordship is at liberty to make use of my name in any public manner you please as author of the above information: nay, I believe it is the wish of the aforesaid personages that these calumnies should be publicly and authoritatively contradicted."

Later on he adds, "I have it both from His Holiness and Cardinal Litta that no alteration will be made in Quarantotti's decision. His Eminence heartily repents of having written

in the manner he did to your Lordship and Dr. Troy on that subject, and is in difficulty to find how to extricate himself from the consequences."

This last extract, taken in conjunction with subsequent events, shows that Mr. Macpherson's wish was father to his thought. His statement eventually reached the ears of Cardinal Pacca, who insisted on his retracting it in writing. This episode throws doubt on the accuracy of his former statement, in the same letter. There is no doubt, moreover, that Quarantotti was censured for having taken the Oath of Allegiance to the Usurper, as all those were who had taken it; but he does not appear to have received any serious reprimand for his work in Propaganda, still less to have been deposed from his office, as was sometimes asserted. His signature continues to occur at the foot of all important documents, including Litta's letter revoking the Rescript. When Litta was absent from Rome a year and a half later Quarantotti was again left in charge of Propaganda; and a few months afterwards he was raised to the Roman purple.

Dr. Murray left Rome on October 17 to return to Ireland; but Dr. Milner was told that the Pope wished him to remain till the arrival of Dr. Poynter, who was expected shortly, so that the questions in dispute between them could be stated from both points of view. He profited by his enforced delay to make a short tour in the Apennines, of which he wrote an account to the *Orthodox Journal*.[1] He went first to Tivoli, where he saw the famous waterfalls, which so impressed him that he declared that everything of the kind which he had previously seen became "tame and uninteresting". After a stay of two days, he proceeded to Subiaco. His description of his journey is worth reproducing, if only to illustrate the rough manner of life among the Italian peasantry, and the kind of accommodation Milner had to put up with. He writes as follows:—

"Having spent two days at Tivoli, I shaped my course eastward, towards Sublacum, now called Subiaco, a most interesting spot to the Christian antiquary, but most neglected by modern tourists. Having passed by Vicovara, I found myself obliged for the sake both of man and horse, to stop at one of

[1] December, 1814, p. 467 *seq.*

the wretched inns which here and there are to be met with in the wild mountains I was traversing. The one in question, though the best of its kind, consisted of one large cave, crowded with mules, horses, asses, and their drivers, with a dresser at the farther end of it, where the landlord and landlady sold coarse bread, sour wine and horse food. The rain coming on, namely, such rain as is usual in this country, resembling a river poured down from the clouds, I thought I should have been obliged to pass the night in this cavern, where a bare board would have been my only bed; but as the rain ceased for a short time, I again mounted my steed, and hastened with as much celerity as the alternate sloughs and rough loose marble stones of which the road consists, would permit towards Subiaco. At length, however, I became convinced of the utter impossibility there was of my reaching that place while the light continued, and of the very great danger of travelling through such roads in the darkness of the night. I therefore by the advice of my servant turned out of the road to a castle and town at the distance of two miles from it, called Arzola. The only inn here was as bad as the one I had left; but one of the most respectable inhabitants of the place, hearing that a traveller was arrived there to pass the night, sent for me to partake of his liberal hospitality, both at board and bed, which he bestowed with a benignity and assiduity as if he was receiving, instead of conferring a benefit."

The next day he set forward again on his journey:—

"I had now twelve miles to ride, through a road the greater part of which the late Pope Pius VI. had made, and tolerably good compared with that which I had hitherto traversed from Tivoli; but among such lofty, rough and bare mountains, here and there surmounted with ancient castles, or ruined cities, that no scenes in Derbyshire or Wales can furnish an idea of this part of the Apennines. At length on turning the flank of a mountain, the beautiful site and edifices of Subiaco opened to my view. The hills were in some places covered with olives and other fruit-bearing trees; in others with various well-grown forest trees; the valleys were watered by the serpentine folds of the murmuring Teverone, and divided into rich vineyards and gardens. These with the noble entrance gate, the spacious house of the Missions, the well-built Cathedral and Seminary,

the episcopal castle placed on the point of a steep cloud-piercing rock, and the numerous surrounding villas could not fail to delight the eye, and render the situation of this city highly interesting, however poor and inconvenient the streets and houses of the common inhabitants, like those of other country towns here are in general. For my own part, however, I found here the comforts of a decent inn, with civil usage, at the hotel of Signor Benedict Cali, which were greatly increased by the hospitality of the amiable Bishop of the city, then making his episcopal visit there, Cardinal Galeffi."

On the following day, Milner visited the Grotto of St. Benedict, and then set out on a cross-country journey to the famous shrine of our Lady of Good Counsel at Genezzano, situated in the heart of the mountains, where he arrived late that night. "Here," he says, "our habitation was an old ruined castle, without glass in the windows, and destitute of almost every other convenience of life. Hunger and fatigue, however," he added, "enabled me to make a good meal of homely fare, and to sleep soundly in a pair of hopsacks."

After visiting the shrine, and performing his devotions, Milner next proceeded through Palestrina—the ancient Praeneste—and Monte Porzio, where the country house of the English College was situated, to Frascati, which he designates "the Richmond Hill of the Christian capital". He found the village was *en fête*, in honour of the enthronement of his friend Cardinal Somaglia, the newly appointed bishop. From thence he went to Castel Gandolfo, the country house of the Holy Father, who was taking a few weeks of rest there at the time. He does not appear to have seen the Pope, but passing on by Lake Castello and Albano, reached Rome on his return journey on October 27, after an absence of nine days.

On his return to Rome Milner learnt that Dr. Poynter had not yet left London, and could not arrive for some weeks at least. Mr. Macpherson continued to be active, and notwithstanding the hostile attitude of Cardinal Litta, he was hopeful of ultimate success. The following is taken from a letter to Dr. Gibson written by him on November 26, 1814, shortly after the Pope's return to Rome. We must again make some allowance for exaggeration; but the statement about Milner,

startling as it seems, was not altogether without foundation, though no decision had yet been come to :— [1]

"His Holiness has entirely made up his mind not to allow Dr. Milner to return any more to England. This, however, must be kept in your own breast till it be announced first to the Doctor, which will not be till the return from Vienna of Cardinal Consalvi, the Secretary of State, who is to determine in what manner he is to be provided to support his character. I proposed a Canonicate in one of the Potiores [2] Churches. The question is which of them it should be: should I object to his being made a Canon of St. Peter's? Would it not have the appearance not of a punishment, but of a reward? I wish I could have your Lordship's opinion on this."

Bishop Gibson answered as follows :— [3]

"DURHAM, *January* 1, 1815.

"DEAR SIR,

"It is not easy to give advice concerning Bishop Milner. If he be detained against his will, or apparently so, there will be a great clamour in Ireland, and no little in England, as there is already. May it not be advisable that he should return to England for a time under a prohibition not to write or intermeddle on these matters, with an inhibition to the Irish not to interfere, but to leave the decision of disputed points to his Holiness; then if deemed advisable, to resign peaceably and accept the maintenance designed by his Holiness."

An alternative scheme put forward was that Milner should become rector of the English College, which it was hoped soon to re-open. Cardinal Braschi was still the "Protector". He had for many years been paralysed in his lower limbs, and was unable to take much active share in business. The project of re-opening the college in fact emanated from Cardinal Litta. It was still in an uninhabitable condition: for the house had been completely stripped, even the locks having been taken off the doors. But the revenues had been gradually re-

[1] *Westminster Archives.*

[2] The chief churches in Rome, including the Basilicas, were sometimes spoken of as "Ecclesiæ Potiores".

[3] *Westminster Archives.*

covering, since the vineyards had escaped serious injury, and continued to be worked at a profit; and there was a considerable amount of money in hand which could be spent on repairs, in the event of the college being needed for use.

Apparently this was a prospect to which Milner felt no leaning. He suggested the name of the Rev. Stephen Green for the office. Dr. Poynter, who was also consulted, proposed the Rev. William Wilds of Warwick Street, or Rev. John Lingard. So far as Rev. Stephen Green was concerned, the question was settled shortly afterwards by his death; and for reasons we shall see later, the re-establishment of the college was postponed for several years.

One other incident of Milner's stay deserves to be mentioned, if only because of its curious and unlooked for sequel. There was living at that time in Rome a religious named Sister Mary Agnes Firrao, who had a great reputation for sanctity. She was born in 1774, and was consequently just over forty years of age. Originally a professed nun in the Monastery of St. Clare, she had since founded a reformation of the Third Order of St. Francis, over which she acted as Superioress. It was said that the *stigmata* [1] were visible on her hands and feet every Friday, and she was reported to have received revelations and made prophecies. Amongst others of these, she had prophesied, when the Pope entered Rome, that he would be driven out again within a year, which actually came to pass. Her visions and prophecies were much spoken of, especially in England. Contrary to the usual custom, a volume of memoirs was written during her lifetime, and this also was largely read in England.[2] When during the troubles in Rome, her convent was in difficulties, offerings of money were sent by the English Catholics. Both Dr. Poynter and Dr. Collingridge allude to her frequently in their correspondence.

Soon after the Pope's return to Rome, however, when it was understood that she was uttering what professed to be prophecies of further persecution, which excited and alarmed the people, the Inquisition caused her to be arrested, in order to examine into the truth of her alleged miracles.

[1] *I.e.* marks of wounds in the same places as the Five Wounds of our Lord.
[2] A MS. copy is in possession of the Bishop of Clifton.

Milner had often heard of Sister Mary Agnes, and arriving in Rome before her imprisonment, he determined to see her. He had one interview, and came away profoundly moved. He often declared afterwards that she had told him not to resign his Vicariate; that he was doing a great work; that Quarantotti had acted in an unwarrantable manner; and that Mr. Macpherson's conduct was very reprehensible.[1] After his return to England, he spoke so often in this sense, that Dr. Collingridge determined to obtain an independent account of the interview. He accordingly communicated with Mr. Macpherson, at whose request the following narrative was written by one of the two nuns who were present throughout, and who both affixed their signatures:—[2]

"When Mgr. Milner came to visit Sister Mary Agnes he brought with him an interpreter, as he did not understand our language. The above named had hardly seen him after saluting him, when she asked if he was the Bishop who had written to her about two years before (that is, Mgr. Collingridge), and as she said this, she rose from her seat, and took the letter of that good Bishop, which she kept in her desk, and gave it to him. After having read it and understood from the interpreter what Sister Mary Agnes had asked, he answered that he was not the person she spoke of. Then our Mother enquired pressingly of him how that holy Prelate was, and whether he was likely to come to Rome. 'I believe,' he answered, 'that he is well, and I don't know that he has anything to bring him to this city.' Sister Mary Agnes then asked him if he had had any news of your Reverence, that since you went to England you had never written; and here she proceeded to say that we are much indebted to your charity, for having received us and taken us into the Scots' College when we were expelled from the monastery, and in addition you had done so many other acts of kindness. But he could not give her any news of your Reverence.

"Then Sister Mary Agnes said to him, with grief, that she knew that there was a Bishop in England who was in

[1] See minutes of Milner's conversation with Bishop Collingridge on June 11, 1815 (*Clifton Archives*): also his letter to Dr. Troy of July 31, 1815 (*Dublin Archives*); and elsewhere.

[2] *Clifton Archives.* The original is in Italian.

strong opposition to the other Bishops, and who was an impediment to the progress of the Catholic religion. At these words, Mgr. Milner, with many tears, answered, 'I am he of whom you give this description'. At this Sister Mary Agnes was silent, and felt sorry that she had spoken in this manner. He said to her that he was thinking of resigning his bishopric in order to take to the contemplative life, and our Mother answered him that a bishop should unite the active with the contemplative life, but that if the needs of his own soul as well as of his diocese required such renunciation, he should consult the Holy Father about it. Here Mgr. Milner plaintively proceeded to ask her to recommend him to the Lord, which she promised she would not fail to do. Thus ended the interview which as far as I remember did not last more than a quarter of an hour, and he left never more to see Sister Mary Agnes.

"Before his departure [from Rome] he returned, but our Mother was not here, her arrest having already taken place."

On reading this letter we are tempted to ask ourselves whether Milner had misunderstood Sister Mary Agnes through his want of knowledge of Italian, or whether more had been said than the nun remembered, or perhaps partly one and partly the other. When Dr. Poynter arrived in Rome, Sister Mary Agnes was already in prison, so that he did not see her; and he attached very little importance to the approbation which Milner claimed that she had given him. It was not until more than a year later that her cause was decided, when the Congregation of the Holy Office, having examined the evidence, decided that "the stigmata, visions, revelations, ecstasies, apparitions, and other things as above stated and regarded as miraculous and special graces of God, [were] deceits, vain boastings, lies and fictions". By a decree of February 14, 1816, she was condemned to remain for the rest of her life in a monastery of strict observance, and to dress in the garb of a penitent; and for five years to fast every Friday on bread and water. These punishments sound drastic: they at least show Rome's detestation of that class of fraud.[1]

[1] The place selected for her exile was a Benedictine Convent of strict observance at Gubbio, a small town in the Papal States, not very far from Assisi. She accepted her penance in good spirit, and spent the rest of her life there. She died in 1852. After her death, her old community honoured her memory as that of a saint, and continued to do so notwithstanding the prohibition of the Pope

It has been stated that the Pope returned to Rome towards the end of November. As soon as could be arranged after his return, Mr. Macpherson waited on his Holiness to present the Address of the English Catholic Board which had been illuminated, and sent after him, so that it only reached him in October, during the Pope's absence. His Holiness sent a written answer,[1] dated December 28, which was delivered to Mr. Macpherson, and by him forwarded to Mr. Edward Jerningham in London. The Holy Father expressed himself in a very paternal manner, and the members of the Board could not have wished for a more cordial reply to their Address; but on the matter of the Rescript, he simply says that as they were already aware, the whole question was to be discussed *ab integro* by a congregation of cardinals.

Beyond this, no further business was transacted with respect to the English Catholics pending the arrival of Dr. Poynter, who was then known to be on his way.

(Pius IX.); in consequence of which the house was broken up by his command in 1860, and the nuns dispersed to the different houses of their order. The convent itself was restored to the Benedictine monks, to whom it had belonged before the Revolution. They re-opened it as the monastery of S. Ambrogio and they are still in possession at the present day.

[1] Butler, iv. p. 529.

CHAPTER XXIII.

THE APPEAL TO ROME (CONTINUED).

WHEN Dr. Poynter received Mr. Macpherson's letters calling upon him to come to Rome in person, he was at first loath to accede to the request. The expense and fatigue of so long a journey was very great, and the prospect of crossing the Alps at the approach of winter was far from attractive. Added to this, he was in the midst of much pressing business at home, from which he could not easily free himself. Mr. Macpherson's first letter reached him on September 3. On the 6th he answered that the documents which he had sent were sufficient to enable Mr. Macpherson to answer all Bishop Milner's complaints so far as he (Bishop Poynter) was concerned; but with respect to the accusations against others, he could not do anything unless he received a request from the remaining vicars apostolic, and also from the chief representative laymen that he should appear in Rome on their behalf. Mr. Macpherson, however, continued to press him, saying that the Holy Father had expressed gratification at the prospect of his coming, and had ordered accommodation to be fitted up at the English College in order to receive him. This second letter arrived early in November. Having taken advice of the bishops and others, and finding that they all wished him to go, Dr. Poynter decided to fall in with their wishes. Mr. Bramston consented to accompany him,[1] and they set out together on Monday, November 28. On the following day they crossed the Channel from Dover to Boulogne, and they proceeded thence by easy stages, Mr. Bramston's health not permitting him to undergo too great fatigue.

On arriving at Paris they found a Commission of French

[1] Both Dr. Poynter and Mr. Bramston kept diaries of their journey, which are now in the *Westminster Archives*, and will be used freely in the following pages.

bishops assembled by direction of King Louis XVIII., in order to reorganise the French Church. The Archbishop of Rheims, as President, invited Dr. Poynter to attend the inaugural dinner of the bishops on December 8, according him the place of honour as their guest above all the others. On the next day, Dr. Poynter and Mr. Bramston left Paris, proceeding southwards in a "cabriolet" which they had hired, and in which they travelled all the way to Rome, hiring post-horses as they went. On the way through Fontainebleau they visited the Pope's apartments, and the scene of Napoleon's abdication. The second day after leaving Paris found them at Sens, familiar as the place where St. Thomas of Canterbury spent four years of his exile. From thence they travelled *via* Auxerre, Dijon and Mâcon to Lyons, arriving on December 17. They made no stay there, but proceeded through Savoy by Chambéry to Modane, and crossed the pass of Mont Cenis, which was of course under snow, on the 22nd, arriving at Turin for Christmas Day. After two days' rest, they continued their journey through Piacenza and Modena to Bologna and thence across the Apennines to Florence. They experienced bad weather throughout, snow, rain and frost alternating, so that the roads were at times almost impassable. At one period they had six oxen besides four horses, drawing their "cabriolet". After leaving Florence, the conditions were more favourable; but they had a disagreeable experience at a little town called Radicolani, near Siena, where they spent the night, which can be told in Mr. Bramston's own words:—

"At midnight a violent shock of an Earthquake; some time after a second shock, not so violent. A house demolished in the town of Radicolani. People generally alarmed: all up the rest of the night except ourselves; we did not quit our beds at all. Italian knight came into our room in horror. A soldier who had been in battles told me that the alarm of bullets passing by him was a trifle in comparison of what he felt this night."

The rest of the journey was free from incident. At Viterbo they saw the body of St. Rose, which Mr. Bramston describes as "visibly entire," both as to face, hands and feet. From thence they went in a day and a half to Rome, where they arrived on Saturday, January 14. It is worthy of remark, as

showing what an undertaking a journey to Rome was in those days, that the travelling expenses of Dr. Poynter and Mr. Bramston amounted to £197.[1] During their stay in Rome, however, they were put to no expense, as the Pope not only provided them with free board and lodging, but placed a carriage and pair, with coachman and footman, at their disposal for the whole time they were there. It afterwards transpired that he did this out of certain moneys due from him to the English College, which was of course still closed.

On approaching the Eternal City, Dr. Poynter and Mr. Bramston were met a mile or two outside by the Rev. Paul Macpherson, in the carriage provided for them. They therefore left their "cabriolet" to take the luggage, and themselves arrived in state. They drove straight to the Scots' College, for they found that they were to be lodged there. It appeared that Dr. Milner had protested to Cardinal Braschi, the Protector of the English College, on the preference shown to Dr. Poynter over himself, and claimed that he, being the senior, should reside there. In point of fact, the English College was so much out of repair that it took a long time to prepare a room fit for habitation, and Milner did not get in until the middle of February. In the meantime Cardinal Pacca, the Protector of the Scots' College, wrote to Dr. Poynter, explaining that he and Mr. Bramston would be more comfortable there, as the house was properly furnished, and being near the Quirinal, they would have easier access to the Holy Father. For another reason they were glad to be under the protection of Cardinal Pacca; for he had spent six years as Nuncio at Lisbon, from 1795 to 1801, during which time Mr. Bramston was at the English College there, and these two had become intimate with one another, so that their meeting each other in Rome was the renewal of an old friendship.

As the Rev. Paul Macpherson was in regular residence at the Scots' College, it appeared that the arrangement would also for that reason be more convenient; but on the first or second day of Dr. Poynter's visit a difference arose between them. Dr. Poynter said openly that he had not come to

[1] This was of course because they had travelled slowly and in their own conveyance. The cost of a journey from London to Rome for a single traveller using the public diligence was from £35 to £40.

Rome to defend Quarantotti's Rescript, and he was quite content that the cause should be re-examined. He only added one proviso, which he notes in his diary: "As the spirit of conciliation which that Rescript breathed, and which we could not but approve of, produced a happy effect, we urged the necessity of some other letter written in the same spirit". The fact was that Dr. Poynter was not enough of a partisan to suit Mr. Macpherson, who consequently left him almost alone during his stay: indeed beyond giving him his first introductions to the various cardinals, and recommending him a suitable lawyer, he gave him practically no further assistance. Moreover, when he accompanied Dr. Poynter and Mr. Bramston to their first interview with the Prefect of Propaganda, Cardinal Litta requested them in future to come unaccompanied.

We can well imagine the interest with which Dr. Poynter, with his classical training and his scholarly tastes, would have looked forward to a visit to Rome, and the first two or three days were devoted by him to sight-seeing. The Rev. John Chetwode Eustace happened to be there at the time, and as he knew the city well, he formed an excellent guide. On the first day Dr. Poynter and Mr. Bramston visited the Vatican, the Capitol, the Tarpeian Rock and the Coliseum, with the three great triumphal arches close by; the next day they visited St. Mary Major; then St. John Lateran, the Baptistery, the Scala Santa and St. Anthony's Church. On January 18, the feast of St. Peter's Chair in Rome, they assisted at High Mass sung in presence of the Pope at St. Peter's. Bishop Poynter wrote, "On Sunday last Mr. Eustace was our *cicerone*. He showed us the Rotunda[1] and then St. Peter's, in which as Michael Angelo conceived the idea, the Rotunda is elevated in the air. We went up to the very top of St. Peter's, even entered into the ball. We saw a great deal; but the whole of the interior of the Church is so exquisitely and perfectly finished that after seeing it a hundred times there is always something new to be seen and admired."

After this, however, Dr. Poynter and Mr. Bramston were kept so constantly occupied that sight-seeing was only occasionally possible. They visited of course all the basilicas, and

[1] Now more usually spoken of as the Pantheon.

spent a day in the Catacombs of St. Callistus, while they also from time to time assisted at ceremonies in various other churches on the occasion of various "festas". One long day was devoted to a drive to Frascati and Castel Gandolfo, with a visit to the Basilian monastery of Grotta Ferrata on the way; but the excursion was to a great extent marred by bad weather.

Within the first few days after their arrival, Dr. Poynter and Cardinal Litta exchanged visits of civility; and several of the prominent Englishmen then in Rome called on the two travellers. Among them were the Duke of Bedford, who had been Lord Lieutenant of Ireland after the Union, and was an advocate of Catholic Emancipation, and Lord William Bentinck, who had recently returned from Sicily, where he had acted as commander-in-chief to the British forces. Several prominent Catholics were also in Rome, and paid their respects to Dr. Poynter, the chief being Sir Edward Blount, Mr. George Silvertop, and a son of Lord Clifford. The French Ambassador, the Marquis d'Osmond, also showed particular civility to Dr. Poynter, and asked him to dinner every Friday during his stay.

On Monday, January 23, Bishop Poynter and Mr. Bramston were presented to the Holy Father in the Quirinal. He received them with all kindness, the audience lasting some twenty minutes. Mr. Bramston in his diary summarises what passed in the following words:—

"Bishop Poynter expressed the devotion to his Holiness of himself, his colleagues, his Vicars General, his Clergy, and the nobility and gentry of England. The Holy Father heard him with complaisant attention; expressed his wish that harmony should be restored among the Bishops. Bishop Poynter said that perfect harmony reigned, save with regard to one only. His Holiness expressed his wish to satisfy the English Government as far as religion would permit, and his desire that the clergy should be well thought of by the Government, and not meddle in politics, and seemed to allude with some expression of dissatisfaction that some clergy in Ireland had given umbrage to Government. He expressed his willingness to see Dr. Poynter again. I said but little; but he saw by my countenance how much I venerated him, and

showed by his manner and countenance a kindness that is not to be expressed. He seemed to me indeed to be the holy and good Father."

After this, Dr. Poynter called on most of the Cardinals and other dignitaries in Rome, which he says he found "a most tedious and irksome business". Among those whom he saw, besides Cardinal Litta, may be mentioned Cardinal Somaglia, Secretary of the Holy Office; Cardinal Braschi, Protector of the English College; Cardinal Fesch, the uncle of Napoleon; Cardinal di Pietro, who had recently retired from Propaganda; Cardinal Dagnani, a friend of Milner's; Cardinal Pacca, who was acting as Secretary of State; and Mgr. Quarantotti, with whom he had a long conversation. Dr. Poynter says that he found all the Cardinals on whom he called affable and friendly, with the exception of Cardinals Somaglia and Litta, and perhaps to some extent Cardinal Dagnani. The first named was positively uncivil, keeping him and Mr. Bramston standing in the doorway, and speaking very disrespectfully of the English Catholics. This was not altogether a surprise, as he was known to be a close friend of Milner, and naturally looked at English affairs from his point of view. This, however, was not of much practical importance, as Cardinal Somaglia was not directly concerned in the question. The opposition of Cardinal Litta, who was Prefect of Propaganda, was more important: to the negotiations with him we now proceed.

In his first regular interview with Dr. Poynter, Cardinal Litta showed himself far from friendly; yet Dr. Poynter, writing after it was over, expressed his belief that the Cardinal was "really a great, good and upright man," and attributed his prejudice to his being misinformed. Litta had studied Milner's pamphlets and other writings in close detail, and was well versed in his view of the questions in dispute. With respect to the Fifth Resolution, he said that he did not object to its terms,[1] but said that it was "unjustifiable in its circumstances," and that it was that Resolution which had led to the obnoxious clauses in the bill three years later. He criticised Dr. Poynter for tolerating the Cisalpine Club, for being friendly with Charles Butler, and for not admitting Dr. Milner to the

[1] So it is categorically stated both by Dr. Poynter and Mr. Bramston, in their diaries and letters respectively.

CARDINAL LAURENCE LITTA,
Bishop of Sabina & Prefect of the
Sacred College of Propaganda.
Born at Milan 23.d Feb.y 1756.
died on the Visitation of his Diocese
at a Village 1.st of May 1820.

meetings of the vicars apostolic. He further gave him a lecture on the error of being led by the laity, still more on allowing them to pay sums of money in order to obtain their will, and the like. Finally, he alluded to his letter of the previous July, containing the accusation of having defrauded Milner of his share of the money received from the colleges, to which no answer had been given.

This last accusation was fortunate for Dr. Poynter, for he was able at once to say that he had not received the letter; and he called for a copy. When this was given him, he was able to give a complete reply to the accusation. The Douay money had never passed through his hands at all, for it was distributed in 1797, six years before either he or Milner had become bishops. The only connection he had ever had with it was that he arranged the arbitration when Milner had appealed to Bishop Douglass in the matter a few years before.[1] With respect to the other colleges, he said that while he had in one or two instances advanced money, he had never received anything from any of them. The answer was so complete that he demanded a written sentence. Litta, of course, showed Dr. Poynter's answer to Milner, who made a further statement in reply; but the Cardinal admitted that he had not established his case, and promised to write a formal statement to that effect.

This incident had an important bearing on future events. It shook Cardinal Litta's confidence in Milner's professed impartiality, and, though he continued very friendly with him, he was careful afterwards to verify Milner's statements before acting on them. He also asked Dr. Poynter to put his views about the whole question of Emancipation into writing, and was very favourably impressed with the result. We can give the substance of what Dr. Poynter wrote, as he gave it in a letter to Rev. Joseph Hodgson:—[2]

"I drew up a long statement of the case of the English Catholics, in which I exposed all that they suffer in civil and religious respects from the operation of the Penal Laws, and the objects of their petitions. Next I stated fully and clearly

[1] See vol. i. p. 172. Cardinal Litta's letter and Dr. Poynter's answer are given in Appendix G.

[2] *Westminster Archives.*

the prejudices of the Protestants against the Apostolic See, and the Catholic Religion, with the grounds of these prejudices of Protestants. Then I showed how from these prejudices the Protestants naturally called for some securities, observing that their call for securities was supported by the practice of other countries, a-Catholic as well as Catholic. I then exposed the differences of opinions that exist among Catholics on the subject of what are called securities. I then proceeded to a certain measure, every part of which arose from the facts I had stated in the first part."

This statement was delivered to Litta on February 3. During the next six weeks four further documents of importance were delivered to him. One was a copy of a letter in answer to Milner's "Explanation with Dr. Poynter," which the other vicars apostolic had signed and sent to Rome in May, 1812. Another was a long letter from Bishop Collingridge detailing his grievances against Dr. Milner, which was by his wish first translated into Italian. This was followed by a letter written in Italian by Mr. Bramston—for he was a fluent linguist—in which he gave his opinion as a lawyer on the whole Emancipation question. Finally, on March 15, Dr. Poynter signed and delivered a full statement of his defence against Milner's accusations, which became afterwards famous under the title he gave to it, "An Apologetical Epistle". From this document we have already quoted at length, and shall have occasion to quote again. Let it suffice here to say that it was written throughout in Dr. Poynter's usual argumentative style, and is not altogether free from the note of bitterness. But he makes a strong case for himself, and it was afterwards spoken of by Milner's friends as "the most formidable piece that had appeared against him".[1] It should of course be borne in mind that it was not intended by Dr. Poynter to be read by any one except his superiors in Rome to whom he had been accused. He gave one copy to Cardinal Litta and another to the Pope at his second audience on March 20.

As soon as Milner had moved into the English College, he called on Dr. Poynter, who returned the call on the following day; but the conversation turned on indifferent topics, and no allusion was made to the business which had brought

[1] Husenbeth, p. 433.

them both to Rome. Milner, however, was far from being inactive; in his numerous visits to Cardinal Litta, he continued to impress his views upon him. He drew out a general statement, dated March 7, 1815, which he entitled, "Some Observations on the State and Defects of the Apostolical Missions in England," in which he stated his own point of view very completely, and evidently made considerable impression, for Dr. Poynter complained of what he termed Litta's "versatility". It is probable that neither Dr. Milner nor Dr. Poynter made proper allowance for the pliant nature of the Italian mind. Litta's desire to make peace seems to have caused him to express general sympathy with the views of the person to whom he was speaking, which they both understood to mean more than it did.

Milner himself, however, was soon to have occasion to feel Litta's "versatility"; for quite suddenly, probably in consequence of some influence from without, he veered round in favour of conceding the veto, and called upon Milner to draw out a scheme for its inclusion. Milner complied unwillingly, and the scheme which he drew out was afterwards quoted against him. His own account is that he was "overpowered by an irresistible force, and then capitulated on the very best terms that could be obtained". He adds: "I was so surprised at such a proposal coming from Cardinal Litta that I hardly knew what I said". When, however, Milner brought his scheme to Litta, he found that the Cardinal had changed his mind once more, and would have none of it.[1]

Nevertheless, after all allowances have been made for Litta's "versatility," it seems clear that on the whole he saw matters more from Dr. Milner's point of view than from Dr. Poynter's. He frequently returned to accusations against the latter which had been answered, and from time to time he would add new complaints. The most important of these concerned what was commonly spoken of as "the unveiling of the retired ladies". Of this we shall speak in detail in a future chapter: it is sufficient to say here that it concerned an order which Dr. Poynter had authorised his grand vicar to give, should he deem it expedient, that the nuns of his district

[1] See letter to Dr. Murray, dated April 19, with no year; but probably written in 1819 (*Dublin Archives*).

should cease for a time to wear the religious habit. In reply to Cardinal Litta, he gave his reasons for what he had done, and there the matter rested; but apparently he thought that the time had come for protesting against these continual accusations. We can give the account of this in his own language, from a letter which he wrote to Bishop Collingridge:— [1]

"After I had explained to him what I had done, Mr. Bramston and I then rose upon him, and we spoke as loud as he did. We then told him that we discovered in some Cardinals a disposition to sacrifice the English Vicars Apostolic to Bishop Milner and the Irish Bishops, and to sacrifice the Catholics of England to the Irish populace. I told him that he protected our aggressor, and oppressed the oppressed. We brought him down. We told him that unless the Propaganda would support the other Vicars Apostolic, it would be impossible to govern our districts, and he must not be surprised if in less than two years we resigned. . . . Mr. Bramston, who by his sensible and forcible but respectful way of speaking has generally produced more effect than I have, told him that before Dr. Milner, the character of a Vicar Apostolic was sacred in England; but that he had violated the respect due to that character, and encouraged others to attack us."

The warmth with which he appears to have spoken—unusual in Dr. Poynter—indicates that he was becoming discouraged by the treatment he was receiving. Later on in the same letter he writes:—

"The difficulties and discouragements we have met with here are beyond your conception. The Pope indeed has been all kindness, but he cannot enter into business. Cardinal Litta, as Prefect of Propaganda, is the man with whom *ex officio* we have to do business, and he has been very severe and hard with me. . . . Pray for us: this has been the hardest part of my life, and I am under infinite obligations to Mr. Bramston. It has been the cause of the English Vicars Apostolic, of the English Clergy, of the English Catholic people, of the English mission, of peace and right order, it has been this cause we have been fighting."

Mr. Bramston wrote similarly, and frankly regretted that they had come to Rome at all.

[1] *Clifton Archives.*

Soon after this there arrived in the Eternal City an important person, who appears to have had a secret mission from the British Government. This was Mr. Edward Cooke, an undersecretary of the Foreign Office, and a close friend of Lord Castlereagh. Though English by birth, and educated at Eton and Cambridge, he had made a long official residence in Ireland, and at the time of the Union had taken a prominent part on the side of the English Government; but he had looked upon Catholic Emancipation as an integral part of the scheme, which he consequently considered to have been only partially carried out. He seems to have been a very capable man, and in his quiet unobtrusive way, to have had an important influence on the course of events. On this occasion he apparently came to treat about the Pope's claims to the restoration of his States, then under discussion at Vienna. Cardinal Consalvi saw that if an agreement could be come to as to the conditions for Emancipation in accordance with the wishes of the British Government, they would in return be favourably disposed towards supporting the claims of the Papacy. He wrote to Dr. Poynter in this sense, and it is natural to connect the mission of Lord Castlereagh's friend with the same general policy.

On his arrival in Rome, Mr. Cooke at once put himself into communication with Dr. Poynter, who called on him, accompanied by Mr. Bramston. The latter writes in his diary under March 20:—

"Went to Mr. Cooke, who wished to know what were the objections to the late Bill and to Quarantotti's Letter; talked very reasonably; did not want the Veto; said that it was never wanted; that it is only an ugly term given to the very different intentions of Government. I expressed my opinion against the Veto exactly as I had done in my letter to Dr. Poynter delivered to Cardinal Litta. I stated clearly the right of the head of the Church to communicate with us its members, and the right of the State to watch all communications which might interfere with peace. Dr. Poynter stated shortly the best substance of the papers he had given in respecting Emancipation. I declared my predilection to Sir John Hippisley's plan, and that care be taken that nothing like a Veto appear."

Mr. Cooke's negotiations were, however, cut short by

unlooked for events. Four days before the above interview it had become known that Napoleon had escaped from Elba and was on his way to Paris. A day or two later it was further known that Murat, the usurping King of Naples, having declared himself in favour of Napoleon, had applied for permission to march his army across the Papal States. His request was met with a negative; but it was soon known that he had refused to respect the Pope's neutrality, and was marching towards Rome. The Pope determined to seek refuge in flight, being persuaded—as others were, and as events proved—that it was only a temporary storm, and would soon pass over.

The news of the approach of the Neapolitans reached Rome early on Wednesday in Holy Week, and the arrangements were made so expeditiously that when Dr. Poynter and Dr. Milner both went to St. Peter's for *Tenebrae*, they learnt that the Pope had already gone. He chose Genoa for his temporary exile, because it was a fortified port, at that time garrisoned by British troops, and blockaded by British war vessels. Cardinal Pacca, who followed the next day, and travelled with him to Genoa, comments on the fact as one of the most remarkable of the day, that the Pope during all his stay was protected by British troops, who guarded the Palazzo Doria, where he resided, and accompanied him as a body-guard whenever he went out.

On learning that the Pope had left Rome, Dr. Milner and Dr. Poynter both independently determined to follow him. Their resolution was confirmed on learning that Cardinal Litta had gone, and no one was left at Propaganda with any authority. Dr. Poynter and Mr. Bramston called on Mr. Cooke, who approved of their action. He also informed them that he had read Dr. Poynter's letter to Cardinal Litta on the Emancipation question, with which he was in general agreement; and he showed him a letter which he was writing to Cardinal Pacca on the same subject.

After securing their passports, with some difficulty, on Good Friday, early on the Saturday morning Dr. Poynter and Mr. Bramston left Rome; the latest news at the time of their departure being that the Neapolitans were expected by about mid-day. There were many other emigrants on the road, and

horses were difficult to procure. Eventually Dr. Poynter and Mr. Bramston were forced to stay the night at a little country village called Ronciglione. The following morning, Easter Sunday, they said Mass at daybreak, and succeeding in securing a conveyance, they proceeded to Viterbo, arriving at about noon. Almost immediately on their arrival, they met Dr. Milner in the street, causing mutual embarrassment. He told them that Cardinal Litta was in the town, he himself being on the point of departing for Florence, whither the Pope was believed to have gone. They accordingly put on their proper ecclesiastical attire, and called on Litta.

The interview began inauspiciously, but ended so well that Dr. Poynter considered it the most effectual that he had had. Mr. Bramston gives a full account in his diary, which is worth quoting, at least in part:—

"He [Litta] hinted, but in such a delicate way as not to be observed by Bishop Poynter, a sort of suspicion that we were not acting with *bonne foi*. I felt great indignation at this, which I most forcibly, though I am told most respectfully, expressed. I believe I plainly told him and made him fully feel that no other man had dared to hint that I acted with *mauvaise foi*: that I would not hear such an imputation even from a Cardinal; and that never having said a word that was not strictly true, I feared no man or men, even Cardinals, and I give him credit for respecting my frankness. I then told him all that passed with Mr. Cooke. He seemed more than satisfied; indeed he expressed the greatest satisfaction and seemed to feel great confidence in both of us. He reprobated Dr. Milner's conduct in publishing, etc. He said he had often scolded him, once in the presence of Dr. Murray, for which he had Dr. Murray's thanks. He reprobated the seventeenth Resolution of the Irish Bishops. He was astonished at their continuing him as their agent. He said he would *order* him (or words to that effect) not to go to England."

At the conclusion of the interview, Litta asked Dr. Poynter and Mr. Bramston to stay for dinner, to meet their friend the French Ambassador. Cardinal Dagnani was also one of the party, and Dr. Poynter had a useful conversation with him.

On the following day, Easter Monday, no horses were obtainable, and it was not until mid-day on Tuesday that

Dr. Poynter and Mr. Bramston were able to resume their journey. After several further delays, they eventually arrived at Florence on Easter Saturday, where they found Mr. Silvertop at the same inn at which they stayed. They learnt that the Pope had gone on to Genoa, and they set out at once to follow him there. After passing through Pisa and Leghorn, they travelled the last sixty miles by sea, in a "felucca," arriving at Genoa at one o'clock on Sunday, April 9, the second after Easter. There they found not only the Pope himself, but the majority of the cardinals of the Curia, who had followed him there. Cardinal Pacca held out the hope that English affairs might now receive attention, as there was no regular routine business to occupy the cardinals during their absence from Rome.

Milner had already arrived some days before. On quitting Viterbo, he went to Florence, where he learnt as the others did that the Pope had gone to Genoa. He seems to have felt discouraged, for after being absent from England nearly a year, he had still received no formal document to cancel the Quarantotti rescript. He determined to make a supreme effort, by approaching the Pope personally. He drew out a petition dated Florence, March 29—Easter Wednesday—of which the following is a translation of the essential part:—[1]

"Now therefore that your Holiness has been once more forced by the evils of the times to go into exile, and as the affairs of your petitioner call him back to his own country, he humbly begs that, if this can be done, and is convenient, it should be made clear whether the said Rescript of 16 February, 1814, should be received by the Prelates of Ireland as approved by your Holiness or not?

"Secondly, with the same humility and under the same conditions he begs that if he has in truth fulfilled his public duty towards the Holy See and the Catholic religion, though perhaps with many faults, that this should be made known to the Prelates of Ireland and England by some written paper on the part of the Holy See, which as in past ages she has ever been the refuge and support of those who defended her, so she has been so in a special manner to the Prelates of England, Wilfrid, Anselm, Thomas of Canterbury, Pole, etc."

[1] *Birmingham Archives.*

Milner saw Cardinal Litta again at Pisa, and likewise on his arrival at Genoa. We have unfortunately very little detail of what occurred at these interviews. Milner acknowledges that Litta tried to persuade him to return to Rome, offering to provide him with money, and to take him back in his own carriage, saying that the Pope wished to keep him "till the Conference of Vienna and the troubles of Italy were ended".[1] Had he agreed to this suggestion, no doubt some permanent position would have eventually been found for him in Rome; but he resolutely refused to return, and renewed all his former accusations against the other vicars apostolic: and although on thinking the matter over during the night, he changed his views, and wrote the next morning putting himself unreservedly in Litta's hands,[2] under the circumstances, considering that he would not have remained willingly, it was thought better for him to return to England. Feeling sceptical about any further business being done at Genoa, after having a farewell audience of the Pope, and an interview with Cardinal Pacca, he set out the following day, Tuesday, April 11, in company with three English officers, bound for Ostend, *via* Switzerland and Germany. Cardinal Litta told Dr. Poynter that "Dr. Milner was gone away dissatisfied; that he took no paper with him; that none was given to him, lest he should make a bad use of it; that he thought he would ask for a Coadjutor, he believed such to be his plan. He was told of the impolicy of remaining Irish agent. His answer might be taken either way."[3]

When Dr. Poynter and Mr. Bramston called upon Cardinal Litta, they found his attitude towards them completely changed since they had last seen him at Viterbo. We can give the sequel from Mr. Bramston's Diary:—

"The Cardinal said it was a great scandal to see the disunion amongst the Bishops, and seemed to put part of the scandal at the door of Bishop Poynter. I then spoke. I said the scandal was all on one side, and the edification on the other; that Bishop Milner had attacked in newspapers, etc.

[1] *Addit. Notes* to *Sup. Mem.*, p. 335. See also letter to Dr. Murray (*Dublin Archives*).

[2] See his letter written the following morning (*Archives of Propaganda*).

[3] *Bramston Diary.*

and that no answer (to avoid scandal) had been given; that he (Bishop Milner) appealed to the people, that the appeal of the Vicars Apostolic was to Rome; that the truth and only the truth in fact and in proof had been told, but not too well listened to; that justice and nothing but justice had been asked, and that prejudices had prevented the cause of justice being attended to; that we sought the interests of the Apostolic see in England, but that these interests would not be supported if Rome defended an Irish faction; that it were to be regretted that some letter had not been written as recommended by Bishop Poynter."

Apparently they succeeded once more in talking Litta round to some extent. He discussed the "long oath," as it was called, and said that Cardinal Consalvi was in communication with Lord Castlereagh about a suitable alternative to it. He also discussed the veto, and hinted that he would write a letter about the subject from Genoa; but that all other matters under dispute must wait until their return to Rome. Dr. Bramston adds in his diary the remark, "The Cardinal is a weather-cock".

With respect to the communication alluded to between Cardinal Consalvi and Lord Castlereagh, it has so often been hinted that they were of an important nature that it is a satisfaction to be able to clear the matter up, at least to some extent. This we are now able to do from a document in the Archives of Propaganda, which gives a minute of all the discussion on Emancipation which took place at that time. This document is printed in full in the Appendix.[1] Consalvi was so anxious to secure the good will of Great Britain in the Congress that he went to the farthest possible limits of concession in order to obtain it,—farther in fact than was afterwards accepted by the Pope. It will be seen that he offered several forms of oath which were afterwards taken as the basis of the settlement. One of these was the same as had been accepted by the French Government on the signing of the Concordat in 1801, from which he argued that *a fortiori* the British Government ought to be satisfied with it. He offered, however, two other alternatives. He also expressed the willingness of the Holy See to accept the commissions provided for in the late

[1] See Appendix F.

bill, consisting of five Catholic Peers for England and a like number for Ireland, to certify as to the loyalty of candidates for the episcopacy, implying that in defect of such certificate, the candidate would not be appointed. Even independently of this, he was willing that before any election took place, the Holy See should consult his Majesty's Ministry, and if any particular candidate was not approved of he should not be elected.

With respect to the *Exequatur*, however, Consalvi was inexorable. He pointed out that although the British Government were then friendly to the Pope, there was no guarantee that this would always be the case. He told Lord Castlereagh, however, that he might rest assured that no political matter would be inserted into any such communication with the Holy See, such being wholly alien to Catholic practice.

Further negotiations took place, apparently through Lord William Bentinck, who had followed the Pope to Genoa, and was in correspondence with Mr. Cooke, who was still in Rome. Mr. Cooke himself corresponded with Cardinal Pacca. The general success of these negotiations is evidenced by the following entry in Dr. Poynter's diary at the end of his visit:—

"Cardinal Pacca told us that there was so good an understanding on the conditions of our Emancipation between Rome and the British Government, that if the cause did not now succeed, it would be the fault of the Catholics through a want of union and peaceable disposition among themselves".

The Congregation of Cardinals before whom the case came for final settlement was a special one. They sat on Thursday, April 20. A letter was drawn up which the Pope himself afterwards carefully revised. Its contents will be discussed in the next chapter. It was addressed to Dr. Poynter, and signed by Cardinal Litta. Three copies were delivered to Dr. Poynter on Wednesday, April 26, one for himself, the other two to be forwarded by him to Dr. Troy and Dr. Milner respectively. On the same day Dr. Poynter had an audience of the Pope, at which he presented Lord Malpas to his Holiness; and he likewise gave in a formal *supplica* for the appointment of Mr. Bramston as his coadjutor, with recommendatory letters from all the vicars apostolic of England and Scotland with the exception of Milner. The following day was devoted to farewell

calls on the cardinals in Genoa—Cardinals Litta, Pacca, Brancadoro, Spina, Dagnani, and others. Cardinal Litta returned the call and stayed the whole evening. On Friday, April 28, Dr. Poynter and Mr. Bramston had their last audience of the Pope, and after receiving his blessing, set forward at two o'clock the same afternoon on their homeward journey. They went first to Venice, where they stayed a couple of days, and then proceeded *via* the Brenner Pass, through Munich, Stuttgardt, Frankfort and Cologne, so as to avoid France. They passed through Brussels on June 6—twelve days before the Battle of Waterloo—and sailing from Ostend on the 10th, arrived at Dover early on the 12th. They reached Sittingbourne the same evening, and the following evening, June 13, they were safe back at Castle Street. Before entering his house, Dr. Poynter went to the General Post Office, and with his own hand posted the copies of the letter of Cardinal Litta addressed to Dr. Troy and Dr. Milner.

CHAPTER XXIV.

THE GENOESE LETTER.

It is now time to consider the contents of Cardinal Litta's letter from Genoa, or the "Genoese Letter" as it came to be called.[1] The decisions contained in it were based on those in the document drawn up by Cardinal Consalvi for the use of Lord Castlereagh at the Congress of Vienna, to which allusion has already been made; but several changes of considerable importance were made by the Pope, all in the direction of restricting the conditions of which the Holy See was prepared to approve. We can divide the subject matter into three headings: first as to the Oath of Allegiance; secondly as to the Veto; and thirdly as to the *Placet* or *Exequatur.*

With respect to the Oath, Cardinal Litta gave three specimen forms, any of which might be accepted. The third was the longest, and at the same time the most like those previously put forward at different times by the Government. It ran as follows:—

"I swear and promise obedience and true fidelity to our most beloved lord George III., whom I will defend to the best of my ability against all conspiracies, attacks or attempts of any kind directed against his person, crown and dignity, and I will disclose them to his Majesty, should I ever learn that such are plotting against him or them. I likewise faithfully swear and promise to preserve, protect and defend as much as in me lies, the succession to the Crown in his Majesty's family, against any person or persons, whether in or out of the kingdom, that may claim or pretend to a right to the Crown of this kingdom."

It is hardly necessary to add that this Oath was not meant to be accepted *verbatim;* but that with the others, it was given

[1] Butler, iv. pp. 531-36.

as a type of an Oath of which Rome would approve. It naturally contained no clause expressing any restriction on the Pope's temporal power such as had formed part of every previous Oath of Allegiance for English Catholics, and for this reason, if for no other, it was not likely ever to be accepted by Parliament as it stood.

With respect to the second question—that of the Veto—the Pope decided that some kind of veto on the appointment of bishops could be reasonably allowed, provided it was surrounded by suitable safeguards to prevent its abuse. As this decision was one of supreme importance, it will be well to give Cardinal Litta's words :—

"Let us now consider the election of Bishops. On this head his Holiness above all things exhorts and peremptorily orders those who usually appoint to the vacant sees persons to be proposed and recommended to the Holy See, to employ the utmost care and circumspection not to admit into the number of candidates any but such as, besides the other pastoral virtues, possess in an eminent degree prudence, love of quiet and loyalty. In the next place, although any of the proposed forms of Oath to be taken by the Bishops newly elected might afford abundance of security to the Government, nevertheless to their more ample satisfaction, his Holiness will feel no hesitation in allowing those to whom it appertains, to present to the King's ministers a list of candidates, in order that if any of them should be obnoxious or suspected, the Government may immediately point him out, so that he may be expunged, care however being taken to leave a sufficient number for his Holiness to choose therefrom individuals whom he may deem best qualified for governing the vacant churches."

The above scheme is of course perfectly vague : indeed it is hardly to be called a scheme, but rather an enumeration of conditions to be incorporated in any scheme to be afterwards proposed. It was evident that this would cause great excitement among the party opposed to any kind of veto, and the Pope seems to have realised this ; for in the next paragraph Litta announces the Holy Father's intention that when Emancipation is granted—as he seems to assume it will be—to address a brief to the Catholics of the United Kingdom on the Veto question, giving them solemn permission, expressed

in due form, to accept it under the conditions laid down, which had—Litta said—already been made known to the British Government.

The third question—that of the *Exequatur* or *Placet*—is dismissed in few words, as wholly inadmissible in any form; so much so, that it cannot even be made the subject of negotiation.

It has been observed that Cardinal Litta's letter was not meant to be the final word on the subject, for he announced the Pope's intention of writing more fully on one of the questions raised in due time. It was really an interim injunction, which however was intended—as indeed he expressly stated—to displace Quarantotti's Rescript, and any other such scheme: in the original Latin, "omnino rejectis aliis quibuscunque propositis". As such it was loyally accepted by the vicars apostolic, and Mr. Bramston writes in his Diary that all things considered, it was "to us quite satisfactory". Nevertheless Dr. Poynter thought it wiser not to publish it. He was confirmed in this opinion by the advice of Bishop Collingridge, who said that the decision about the Oath had the appearance of a grudging concession for a form which might be used without any "permission," for it was practically equivalent to that already in use, so that he thought the letter would be misunderstood by Protestants. Dr. Poynter contented himself with inviting several of the prominent members of the Catholic Board to read it at his house, on the distinct understanding that they would keep the details of what it contained secret for the time. Lord Stourton, Sir John Throckmorton, and Edward Jerningham accordingly came. Charles Butler, although one of those invited, thought it wiser to stay away but he wrote afterwards saying that the Catholic Board were well satisfied with it, and that those who had seen it reported that it was "of a nature calculated to remove those difficulties under which the Catholics of Great Britain had more especially laboured".

In view of the decision about the veto, it is natural that Milner and the Irish bishops should not be in any hurry to publish the Letter, and in point of fact its contents were not generally known for more than seven months after it was written.

In discussing the decisions contained in the Genoese Letter,

Amherst says that "a more complete triumph for Milner on the merits of the question can hardly be imagined". Many of Milner's friends wrote and spoke in similar strain at the time, and it was proposed to organise a testimonial to "the victorious bishop" on his return. Milner himself, though declining the testimonial, kept up the appearance of being satisfied with the result of his visit to Rome. While admitting that he had been reproved for the tone of his writings, he boldly asserted that on every question of principle he had been upheld. He wrote to the *Orthodox Journal* in the following terms :— [2]

"MR. EDITOR,

"The undersigned writer having seen in your journal for last month proposals for subscriptions and other measures by way of doing him public honour for the conscientious discharge of his professional duty, feels himself obliged, with every sentiment of gratitude to the proposers, to decline and indeed positively to refuse their offers. His conduct in opposing a late schismatical bill and the fatal pledge, which he so often foretold would lead to some such measure, has been approved of in that quarter to which alone he looks for a decision on theological questions previously to the sentence of the great Master, who can adequately reward as well as infallibly judge of the right behaviour of his ministers. . . .

"J. MILNER."

In his private letters, however, Milner spoke very differently. Thus, for example, writing to Dr. Troy on July 31, 1815, with respect to the Genoese Letter, he expresses himself as follows :— [3]

"For my part, I have not shown my copy, nor communicated the contents of it to any individual, except to Dr. Murphy, Bishop of Cork,[4] who was no less displeased with its contents than your Grace. The moments when it was concerted and afterwards written were the most unfavourable to

[1] See the minutes of his interview with Dr. Collingridge on June 11, 1815 (*Clifton Archives*). The date at the beginning is May 11; but that is evidently a slip of the pen. The true date is given at the end.

[2] *Orthodox Journal*, June, 1815, p. 217.

[3] *Dublin Archives*.

[4] Dr. Moylan died on February 10, 1815. Dr. Macarthy was already dead, and his successor was Dr. Murphy.

our wishes that could happen. . . . I yesterday sent off a very long and tolerably spirited letter to the Cardinal, acknowledging the receipt of his letter to me, and promising obedience should the proposed discipline be established by Apostolical authority; but I represented that the general notice given to Parliament of a concession to our Protestant Government had produced no sensible effect in favour of Emancipation, as I proved by the respective votes and speeches in both Houses; that as the concession would not satisfy the Protestants, by the same rule it would not satisfy the Cisalpines; on the other hand that it would not answer the grand object of pacifying the Irish and reconciling them to their grievances, but would rather irritate them, etc., to the great diminution of their love and respect to the Holy See."

And he concludes:—

"I should be sorry that you did really appeal to your people against Rome, but a hint of the possibility of your being reduced to this would probably have a good effect on a court whose character is timidity".

The letter to Cardinal Litta to which Milner here alludes is among the Archives at Propaganda. It concludes with an edifying sentiment, of which the following is a translation:—

"In a word, however much I may be or shall be weakened in honour or influence by the Holy See, still I trust that by the grace of God I shall ever be faithful and devoted to it".[1]

Dr. Poynter, of course, only saw Milner's public letter, which he looked upon as a renewal of his former aggressions, in defiance of the admonitions of the Holy See. He at once wrote a letter of protest to Cardinal Litta, dated June 29, 1815; and a few weeks later, hearing that Cardinal Consalvi had returned to Rome, he wrote to him also, on July 21, 1815.[2] He followed this up a month later with a letter to Cardinal Pacca, and afterwards wrote to other cardinals whose acquaintance he had made in Rome, and who were likely to be able to exert influence in his favour. A considerable amount of correspondence followed, culminating in a letter from Cardinal Litta, dated December 2, 1815. The text of this most important

[1] "Denique quantumvis sim aut fuero a sancta Sede dehonestatus et infirmatus, spero Dei Gratia me semper ipsi fidelem et devotum fore."

[2] See Dr. Poynter's Letter-book (*Westminster Archives*).

document is given in full in the Appendix,[1] and is worthy of careful study, as being the nearest approach that there was to anything like a decision on the matters in dispute between Milner and his colleagues, though Litta expressly refrains from pronouncing a definite judgment. All questions which had ceased to have actual importance were passed over. The Trevaux case had come to an end by his death the previous January. The Fifth Resolution was a matter of the past. The questions involved in the bill of 1813 had been dealt with in the Genoese Letter. It remained to explain the exact bearing of that letter, and to lay down such principles of action as seemed advisable to help towards more harmonious working in the future; and in so doing, incidentally Litta gives indications of his opinions as to the past.

Before proceeding to consider the document, it should be mentioned that as Milner had stated, the prospects of Emancipation in any form were then at a low ebb. The question had not been discussed at all in 1814; and in 1815 the majorities against the Catholics had gone back to more like their former large figures. On May 17 Sir Henry Parnell proposed a certain number of Resolutions drafted by O'Connell as the basis of a bill; but after a desultory discussion, they were decided to be out of order. "Nothing could go off worse"—wrote Butler—"than Sir Henry Parnell's motion did yesterday. The House was very thin, heard him with visible marks of disapprobation. Mr. Grattan and Mr. Whitbread were not present, and Mr. Ponsonby quitted the house." And we may add, that Mr. Canning was at this time out of England. Several English petitions were afterwards presented, when the motion for going into Committee was defeated by 228 votes to 147—majority 81. In the corresponding debate in the House of Lords, on June 8, the figures were 86 to 60 against the Catholics. It was perhaps natural that in Rome the falling off in the strength of the Catholic cause was attributed to the Genoese Letter; and this is assumed in the letter of Cardinal Litta which we are now to consider. The following is a translation of the most important part:—

"His Holiness in these determinations has not wished to declare more than the conditions which he was able to approve

[1] See Appendix G.

in case the Emancipation of Catholics should be granted by the Civil Government on these and no others, and he rejoices to have given this proof of indulgence, although from the reports which have lately come he foresees that there is scarcely any hope that the British Government will grant the desired Emancipation on the conditions set forth by his Holiness. For it is not concealed from us that the affair of Emancipation was put forward twice in a General Committee, and on both occasions it was rejected by a large number of votes. This being so, your Lordship now sees that no hope can be entertained that the Government will be willing to turn aside from their formed intention and grant Emancipation on those conditions which alone his Holiness could offer, and which are so opposite to the principles of the civil power.

"The Pope does not and never did ask for the Emancipation of Catholics; but wished to give preliminary instruction, at the request of the Bishops, as to those conditions only on which the Faithful could accept the benefit of Emancipation, without danger to the faith, discipline, and duties of orthodox religion, whenever it should be given by the Government in this manner and not otherwise. It is well that his Holiness acted in this manner, to prevent every cause of reproach that he was not willing to afford assistance, or to explain the way to obtain this new benefit to Catholics.

"With sorrow and even annoyance[1] we learn that the Right Reverend Dr. Milner, Bishop of Castabala, heedless of admonitions, indeed of reprimands, made to him at Rome, continues still to cause grave disturbance to that peace and mutual agreement which is so necessary to exist between the Vicars Apostolic. If he boasts that his manner of writing and acting in accusing and reproaching his colleagues has merited our approbation or praise, he is very far from telling the truth, or at least he exaggerates and perverts what took place. He did, indeed, I do not deny, obtain at Rome some praise for what he has written in defence of the Sovereign Pontiff and the Apostolic See, against the calumnies and schismatical doctrines of Blanchard and his followers, as well as for the fact that he considered the Emancipation Law as drafted

[1] *Aegre ac satis moleste.*

could not be approved of. In other matters, however, and especially as regards those which concern the accusations he made and published against his colleagues, this Sacred Congregation severely reprimanded him, and now admonishes and commands him that he should entirely refrain in future from publishing such accusations. These seeds of contention it is better to bury than to foment; for this reason the Holy See has made no pronouncement with respect to the mutual complaints and accusations with which the Vicars Apostolic have attacked each other; for such a judgment would have no other effect than to feed the flame of dissension, and to weaken more and more that charity which it is necessary to preserve with such care among Catholic Prelates.

"With respect to your Lordship, I wish you to be persuaded that this Congregation thinks highly of you and wishes that in your Vicariate all honour and respect should be given to your authority. If any one is refractory or contumacious, use your own right, and if necessary ask the protection of the Holy See, which indeed it will not fail to give. At the same time you should be most careful that among the Vicars Apostolic mutual agreement and true union should be restored, and let not any one of them be excluded from the common counsel, for otherwise there will always be a cause of discord. I trust that it will come about that, especially by your prudence and charity, by the help of God, the hearts of the disputants shall be reconciled and the wished-for peace shall once more flourish."

In Ireland as time went on and nothing was published, various alarmist rumours arose as to the contents of the Genoese Letter. It was freely said that the Pope had consented to the veto, or some said to the whole contents of the bill of 1813, which would have been equivalent to confirming the Quarantotti Rescript. The danger of this had been apprehended. At an Aggregate Meeting[1] in January, 1815, O'Connell had made one of his most uncompromising speeches, warning his countrymen. He spoke as follows :—[2]

"I state it as a fact which I have from such authority as

[1] The term Aggregate Meeting was regularly used in Ireland, to indicate a meeting of the bulk of the people.

[2] *Speeches*, i. p. 446.

leaves no doubt in my mind, that a negotiation is going on between Lord William Bentinck, Lord Castlereagh and Cardinal Consalvi, one result of which is intended by the two former to be the concession to the minister of the British Crown of an effectual supremacy over the Catholic Church in Ireland, and there is every reason to dread that the Cardinal waits only to get what he considers an adequate compensation before he accedes to the measure.

"The restoration of part of the Pope's territories still withheld is said to be the price offered by Lord Castlereagh; but it is not so clear that he has it in his power to make the payment. Besides, I do not think so unworthily of the Pope as to believe that he who resisted the favour of Napoleon will yield to the seductions of Lord Castlereagh.

"The danger, however, becomes much increased when we recollect the exaggerated praises of England contained in the letter from our Prelates to the Pope. Can his Holiness doubt the sincerity of our Prelates? I know they regarded that passage as the unmeaning language of compliment; and if they had considered it as a serious assertion of fact, they would have died before they signed it. But indeed the lightness with which such language was used by them increases much our peril, as it must inspire the Pope with that confidence in the English Government which he ought *not* to have."

After expressing the firm resolution to defeat the measure, he proceeded:—

"Let our determination never to assent reach Rome. It can easily be transmitted there; but even should it fail, I am still determined to resist. I am sincerely a Catholic, but I am not a Papist. I deny the doctrine that the Pope has any temporal authority, directly or indirectly, in Ireland; we have all denied that authority on oath, and we would die to resist it. He cannot therefore be any party to the Act of Parliament we solicit, nor shall any Act of Parliament regulate our faith or conscience.

"In spiritual matters too," he continued, "the authority of the Pope is limited; he cannot, although his conclave of Cardinals were to join him, vary our religion either in doctrine or in essential discipline, in any respect. Even in non-essential discipline the Pope cannot vary it without the assent of the

Irish Catholic Bishops. Why, to this hour the discipline of the General Council of Trent is not received in this diocese.[1] I do therefore totally deny that Consalvi or Quarantotti or even the Pope himself can claim the submission which the seceders [2] proclaim that they are ready to show to their mandates."

We cannot help making a comparison of these sentiments with those of the Cisalpines who maintained similarly that the question of the Oath was primarily political. In each case the distinction was made between Catholics and Papists and in each case attempts were made to limit the authority of the Pope and magnify the importance of a national prelacy. In the case of the Cisalpines, however, the object was to criticise what they considered the undue restrictions sanctioned by the Pope; while in O'Connell's case it was the precise opposite, for he was contending that the Pope's temporising measures ought not to be accepted. These two extremes form a good argument—if one was wanted—for the wisdom of the course taken by Rome throughout—a wisdom born of long experience and traditions of calm and moderation.

When the rumour went abroad that the Pope had actually conceded the veto, O'Connell called another Aggregate Meeting to be held after the meeting of bishops, which latter was fixed for August 23 and 24. Milner wrote a letter to one of them, to be communicated to the meeting, begging them to

[1] The statement here implied, that the decrees of the Council of Trent were not binding in Ireland unless they received the assent of the Irish bishops, is of course inaccurate. If some of the decrees are not binding in particular places or at particular times, it is only such ones as require a special promulgation. This is the case with respect to the laws regarding clandestine marriages. These were binding over a great part of Ireland at the time when O'Connell spoke, but not over the whole of it, and not in any part of England. But no individual bishop, nor even a National Hierarchy would have the power to refuse the ordinary decrees of the Council.

It may perhaps be worth mentioning that O'Connell was at this time, or had been, a Freemason, and a Master of a Masonic Lodge in Dublin: see the *Freemasons' Quarterly Review*, March 31, 1837, p. 85, where the statement is made. It attracted considerable attention at the time, and O'Connell wrote to the public press to comment on it. His letter appeared in the *Times* of April 27, 1837, as well as in other London and Dublin papers. He admits that he had been a Mason and the Master of a Dublin Lodge, pleading ignorance of its being forbidden by the Church. On learning this fact, he had resigned and offered to publish his resignation; but Dr. Troy had said that this was unnecessary. His letter was copied into the *Freemasons' Quarterly Review* for June 30, 1837, p. 200.

[2] *I.e.* the Vetoists, who had seceded from the Catholic Board.

accept the Rescript as final. The letter was marked "Private"; but its contents leaked out and caused much mischief. It was never published, and all we know of it is from O'Connell's speech to be alluded to presently; but as he did not possess the text of the letter, we must accept his account with caution. From what he said, however, it is clear that Milner contended that a veto subject to the safeguards detailed in Cardinal Litta's letter would be free from danger. He put the case in the form of a dilemma:—[1]

"Either the candidate for episcopacy in Ireland will be disloyal or he will not be disloyal. If he be disloyal we would all be rejoiced that he lost the Bishopric. If the candidate be a loyal man, and that the British ministry shall strike out his name on a suspicion of his disloyalty, he will have an excellent action at law against the British minister."

This at first looks as though Milner had once more gone back to his views in 1808. The sequel, however, shows that he had not really done so; but that partly out of loyalty to the Holy See, and partly in order to allay the ferment in Ireland, he was anxious that the Pope's decision should be accepted.

The Irish bishops, however, were by no means of his opinion, and they passed resolutions which were not only uncompromising in their tone, but also went further in opposition to the veto than they had ever gone before. These resolutions must be quoted in full:—

"1. That it is our decided and conscientious conviction that any power granted to the Crown of Great Britain of interfering directly or indirectly in the appointment of bishops for the Roman Catholic Church in Ireland must essentially injure and may eventually subvert the Roman Catholic religion in this country.

"2. That with this conviction deeply and unalterably impressed on our minds, we should consider ourselves as betraying the dearest interests of that portion of the Church which the Holy Ghost has confided to our care did we not declare most unequivocally that we will at all times and under all circumstances deprecate and oppose in every canonical way every such interference.

[1] *O'Connell's Speeches*, ii. p. 21.

"3. That though we sincerely venerate the Supreme Pontiff as visible Head of the Church, we do not conceive that our apprehensions for the safety of the Roman Catholic Church in Ireland can or ought to be removed by any determination of his Holiness adopted, or intended to be adopted, not only without our concurrence, but in direct opposition to our repeated resolutions, and the very energetic memorial presented on our behalf by our deputy, the Most Rev. Dr. Murray, who in that quality was more competent to inform his Holiness of the real state and interests of the Roman Catholic Church in Ireland than any other with whom he is said to have consulted.

"4. That a declaration of these our sentiments, respectful, firm and decided, be transmitted to the Holy See, which we trust will engage his Holiness to feel and acknowledge the justness and propriety of this our determination.

"5. That our grateful thanks are due and are hereby given to the Most Rev. Dr. Murray and the Right Rev. Dr. Milner, our late deputies to Rome, for their zealous and able discharge of the trust reposed in them."

It will be seen here that the Bishops declare against the veto "at all times and under all circumstances". Their deputation to Rome consisted of Dr. Murphy, Bishop of Cork, and Dr. Murray.

O'Connell's speech at the Aggregate Meeting was equally uncompromising, and less restrained. Having declared his adherence to the unflinching opposition to the veto announced by the bishops, he seeks to throw the blame for the existing state of things on to the supposed bargain made by the Pope's ministers with English statesmen, and on the English bishops themselves. The following are his words:—[1]

"Consalvi, the Italian, either betrayed or sold our Church to the British minister at Vienna; indeed the exact amount of his price is stated to be eleven thousand guineas. Though a Cardinal, this man is not a priest. He is a secular Cardinal, just fit for any bargain and sale; right glad, I presume, to have so good a thing to sell as the religion of Ireland. Quarantotti —the odious, the stupid Quarantotti—and Cardinal Litta and the Pope himself are all, of course, foreigners.

[1] *Speeches*, ed. 1846, ii. p. 209.

"Then the next class in the arrangement of the Veto are the English Catholic Bishops. First of all I must mention a name that ought not, perhaps, though it will surprise you, Doctor Milner. Yes; Doctor Milner has performed another truly English revolution. He was the first to broach the veto. He came to Ireland on a vetoistical mission; the Irish rejected the mission and the missionary. He then recanted his errors, renounced his first opinions,—abjured them—nay, he even denied them, and brought no small discredit on himself by the flat contradictions under which he laboured. We, however, thought his repentance too sincere, and leaving him to decide his personal quarrel as he could, sustained him for his anti-vetoistical principle.

"Well, what has occurred now? Why, this identical Doctor Milner has gone round again, and has actually written to the Bishops to accede to Litta's plan of Veto. Milner's letter was read at the Synod; it was, I understand, an official document; of its contents I can give you certainly an abstract, because its contents have been communicated to me by one of our prelates, whose name if necessary I am at full liberty to use. His letter requested of the Bishops to accede to the new plan of veto. It stated that the Government would not be satisfied with so little; that it would require more; and therefore, concluded the candid prelate, you may with safety accede to his plan; it will never be brought into operation, and you will have the grace of showing your acquiescence without any danger to the Church. Such was the flimsy and unmanly sophistry by which he attempted to conciliate the Irish Bishops."

After giving Milner's dilemma about a bishop being either loyal or disloyal, which has already been quoted, O'Connell concludes, "I trust that it is the intellect, not the integrity of this Prelate, that has been thus affected".

Turning his attention next to Milner's opponent, O'Connell proceeds:—

"The most zealous apostle of the Veto is another English Prelate, Doctor Poynter. Poor man! his principal means of support depended on the uncertain gratuity of a few of the upper class (as they are called) of English Papists; he would prefer the more solid engagement of a permanent pension from Government. He exerted every nerve to carry this ruinous

measure. One of our Northern Prelates who is advanced in life and a good deal deaf, was in the habit at the present synod of mistaking Poynter's name; he constantly called him 'Doctor Spaniel'. On being corrected two or three times in the heat of the debate, he exclaimed 'Poynter by name, but Spaniel by nature! I am right in his designation, though I may mistake his denomination.'" [1]

Speaking finally of the English bishops as a body, O'Connell proceeds in the same strain:—

"Indeed the English Catholic Bishops are proverbial for their vacillation. At a former period of their history they changed their religion no less than four times in the short space of thirty-six years. Hence the proverb so common in Ireland, 'You may trust an English Bishop as far only as you could throw him'; and the Catholic Bishops in England at this day fully justify the saying. The only scholar amongst them is Doctor Milner; and he appears arrived at dotage. The rest of them by their servility, their pliability, their eagerness to conciliate the favour of their lay patrons and their anxieties for pensions from Government have become the ridicule of the country. The Protestants laugh at them; the Quakers shrug at them; the Methodists sneer with secret joy at them; and we Irish, whilst we reverence their office, hold their conduct in unqualified abhorrence."

Towards the end of this same speech, lest there should be room for further misapprehension, O'Connell said explicitly, "We have shown how powerless the Pope is to alter, without the assent of our Bishops, the discipline of the Church"; and he adds, "I know of no foreign prince whom, in temporal matters, the Catholics of Ireland would more decidedly resist than the Pope".

As a result of the meeting, three representatives were deputed to proceed to Rome, to make representations to the Holy See, in the same tone as the Episcopal deputies. Two of them—Sir Thomas Esmonde and Mr. Owen O'Connor—were laymen, and they refused to go; the third, Father Hayes, a Franciscan, went. The Bishops arrived on October 23;

[1] There is perhaps more meaning in this appellation than is visible on the surface, for the name by which Milner was known among a certain set of Catholics was "the Mastiff". This name, however, was never used in public.

Father Hayes on the 25th. Their mission, however, was not successful. Cardinal Consalvi had returned to Rome, in the zenith of his power and influence. The Irish deputies distrusted him and were not afraid to show their distrust. Eventually the Bishops left Rome on January 5, 1816. The Pope's answer followed in the form of a letter to the Irish bishops, the full text of which can be found in Butler.[1] "It was written in a kindly tone, though the Pope did not conceal his pain at the strong terms of the Resolutions passed by the Bishops at their previous meeting. He pointed out that in making the concessions which he made, he had acted in strict conformity with the principles laid down by his predecessors in such matters, that the fears of the Bishops were groundless, and that even though the Government did its worst, the veto on episcopal appointments proposed by him could not be utilised for the injury and destruction of religion."[2]

Father Hayes remained in Rome, and continued to press the cause on which he had come. He had several audiences of the Pope, who expressed surprise that the Genoese Letter had never been published, and gave him a copy. This copy Father Hayes accordingly sent to Ireland, and the full text of the Letter appeared in the public newspapers in December, 1815. The publication caused a ferment almost as great as that produced by the Quarantotti Rescript, and the popular condemnation of the document was almost equally violent. It was denounced as the work of Consalvi, and boldly stated to have no binding force on the people of Ireland. The following extract from the *Dublin Daily Chronicle* of March 11, 1816, is typical of many which appeared at that time:—[3]

"The accounts acknowledged in the *Chronicle* of Friday proved beyond the possibility of doubt that the letter from Genoa was fraudulently, if not forcibly obtained. They proved also that Cardinal Consalvi, who is a mere layman, was and is joined in combination with the agents and ministers of the Vetoists. It is ridiculous to imagine that any ordinance coming from such sources and obtained by such means can influence the determinations of the Catholics of Ireland. They

[1] IV. p. 536.
[2] McCaffrey, *History of the Church in the Nineteenth Century*, ii. p. 160.
[3] See *Orthodox Journal*, 1816, p. 112.

will not know this political statesman in their connection or communication with the Holy See; he is agent of the Court of Rome; and as they did not make any application to that Court, they will not recognise any of its acts as binding or obligatory; indeed, they could not without incurring the guilt of perjury; as they have distinctly and upon their solemn Oaths protested against the recognition of any foreign temporal authority."

At an Aggregate Meeting, on March 5, a resolution was passed reiterating their determination that they would "at all times and under all circumstances, deprecate and oppose by every means left us by the laws" any interference with the nomination of bishops. At this meeting O'Connell took occasion to apologise for his previous attack on Milner, because "he had seen the copy of a letter written by the Rev. Mr. Hayes in which the unaltered detestation of the Veto by [Milner] is incontestably established"; and "that Dr. Milner continues to be the same decided, determined anti-Vetoist that he had proved himself to be under the most painful and discouraging circumstances". The following extract from Father Hayes's letter was read to the meeting:—

"In justice to [Milner] I think myself bound to state that he opposed the Veto with all his might at Rome and at Genoa, and that when unsupported by his friends, overwhelmed by the calumnies of his foes, and threatened with immediate deposition from his Episcopal functions, he found that all his opposition was in vain; he then without at all approving, softened down the evil he could not prevent, and to him alone we are indebted for the mild, permissive, indecisive tone of the Genoese Letter. Nay, however he may have acted under certain difficulties since that epoch, this I know that down to the present moment his letters to the Holy See bitterly lament the treachery practised on his Holiness, and bespeak him still the warm hater and opposer of all Vetoistical arrangements."[1]

The agitation in Ireland grew in force as time passed away and no answer was received to the Remonstrance which Father Hayes had taken to Rome. The people vented their anger on Consalvi. The following extract from the *Dublin Daily Chronicle* of August 2, 1816, is typical:—[2]

[1] See *Orthodox Journal*, 1811, pp. 115, 116. [2] *Ibid.*, p. 313.

"The conduct of Cardinal Consalvi continues to excite disgust and execration in Rome. He has made himself obnoxious to every friend of religion by the manner in which he exercises the influence or rather the authority which he holds over the Pope.

"This perfidious minister is the mere agent of the British Government, and is generally supposed to be labouring with ardour to gratify that administration by injuring Catholicity generally. He does not disguise his contempt of every person and every interest that is Irish. He evinces as much prejudice as the most brutal bigot of England, and seizes upon every opportunity to manifest the distinctions which he makes between the Irish and English residents in Rome.

"The writer of the letter [from Rome] complains of the 'irregular, uncanonical, perfidious and shameful way in which a shameless Secretary of State has assumed to himself and managed the important affairs of religion'. 'Ireland,' says this writer, 'will still revere the Pope, while she laments his weakness, and opposes the Veto, and execrates Consalvi: and in so doing will only imitate Rome herself, where from the Cardinal to the meanest citizen the despot minister is universally detested.'"

The same tone of speaking was adopted by Father Hayes in Rome, which—considering the position and reputation of Cardinal Consalvi, and the great work he had accomplished for the Holy See—was, to say the least, unseemly. Moreover, the Genoese Letter was a solemn Papal pronouncement, and although the Irish bishops might have considered that it was an unfortunate document in the existing state of Ireland, that would not justify the language used of it by Father Hayes in the Pope's own city.

Nevertheless, he showed great industry and perseverance. He contended that even if no veto was officially conceded, in view of the relations then subsisting between Consalvi and the Court of St. James, a veto would be practically exercised. It was true indeed that there was no formal diplomatic intercourse between London and Rome, and that when any official business had to be considered, it was done through the Hanoverian Ambassador—at that time Baron Ompteida; but privately Lord Castlereagh was friendly with Cardinal Consalvi, and it

was known that they corresponded with one another. It was chiefly to meet this difficulty that Father Hayes brought forward the favourite Irish scheme for the election of bishops by "Domestic Nomination," as they called it; and the whole of the year 1816 was occupied by him in arguing for it. The matter was delayed first by the absence of Cardinal Litta on a diplomatic mission to Milan, and afterwards by his long illness in the spring of that year. The specific plan put forward that the parish priests should nominate a *terna*, or list of three names to choose from; that the bishops should add their own comments, but should not add any fresh names; and that the Sacred Congregation should institute one of the three. This method did not differ so very much from that already in force, beyond being more definite, and laying down that one of three presented must be elected: that is, that no *terna* could be put aside. With regard to the election of a coadjutor, the procedure was to be different. The bishop himself was to nominate, and his candidate was to be accepted or rejected by the votes of the parish priests. It was considered that in either case this would effectually prevent any interference on the part of the English Government.

The question came before the Congregation on May 16, 1817; when the decision was unfavourable to the new scheme. Cardinal Litta in announcing this to Dr. Troy gave as the reason that the existing mode of nomination having given good and devoted pastors to Ireland, the Holy See was the less inclined to change it; while in the proposed plan for domestic nomination, there was room for local jealousies which would detract from the respect shown to bishops, while it would also create room for the undue interference of the laity. These evils might, he said, give an excuse to the Government for insisting on a veto, and so bring about the very mischief it was desired to prevent.

Two days after the Congregation had sat, Father Hayes received an order to leave Rome within twenty-four hours, and the Papal States within three days. No definite reasons were stated, but considering the very unguarded way in which he had spoken in public and in private, the measure could not have caused any great astonishment. Moreover, he had written letters to the Irish papers during his stay in Rome, which found

their way back there, and added to the mischief. Father Hayes, however, naturally did not view the matter in this light, and not only protested against this treatment, but refused to comply with the requisition. Nothing remained therefore but to expel him by force. When this was about to be done, he fell ill of Roman fever, and was confined to his bed for some weeks. During this time his lodgings were continually guarded. It was not until July 16 that he was pronounced well enough to travel, and on that day he was conveyed away by a company of dragoons, who took him as far as the Tuscan frontier. After a short stay at Florence, to complete his convalescence, he returned to Ireland, reaching Dublin on September 24, 1817.

In the meantime it became known that the Pope had replied to the Irish bishops; and still no answer arrived to the Laymen's Remonstrance. At length news came that Father Hayes had been ordered to leave Rome. At this, they drew out a second Remonstrance,[1] complaining that their first one was still unanswered, and contending that the advisers of the Pope had shown that they had no love for Ireland. "It would seem to have been forgotten," they wrote, "that the conduct and perseverance of the Roman Catholics of Ireland had entitled them to any share of regard, or even of favourable consideration—the martyrs of three centuries appear to be already forgotten, and the zealous perseverance of the present generation is not esteemed worthy of being taken into account."

This time the Pope sent a long answer, dated February 21, 1818. He explained that the reason of his former silence had been the improper tone of the Laymen's letter, added to the fact that he had written an answer to the bishops, the nature of which they would have learnt. For the rest, he said that the decisions of the Genoese Letter were come to solely with a view to the advancement of religion, and not out of political considerations; and he assured them of his deep interest in the welfare of the Irish Catholics. With respect to Father Hayes, however, the Pope declared that his conduct throughout had been most improper; that the account given by him on his return to Ireland was quite inaccurate, and that no credit should be given to his statements.

[1] See *Orthodox Journal*, 1818, p. 231.

This letter was read at a meeting of Dublin Catholics on July 1, 1818. Father Hayes was present, and made a short speech, in which he first recounted his reasons for protesting against the treatment he had received; but ended by expressing his "poignant regret" that his conduct should have given any cause for offence, and humbly begging the Pope's pardon.

CHAPTER XXV.

DOMESTIC AFFAIRS.

WHEN Dr. Poynter returned from Rome in the summer of 1815, he found many trials and difficulties awaiting him. Death had been busy among the clergy during his absence. One priest of his own household—the Rev. George Chamberlayne—had passed away, as well as one of his grand vicars, the Rev. Thomas Rigby. A few months later the Rev. John Griffiths of St. George's Fields Chapel died; while in the following year again, one of the most venerable priests of the district, the Rev. Richard Southworth of Brockhampton, Hants, passed peacefully away. He insisted on putting on cotta and stole, to receive Holy Viaticum in his chapel, and he was anointed sitting on his chair, on which he shortly afterwards died. In the following year took place the horrible murder of Rev. François Longuet, a French priest, who out of his own resources supported a mission at Reading. He was killed in a lane some five miles from the town, as he was returning from dining with a friend, at nine o'clock on a winter's night, the sole motive apparently being anti-Catholic hatred. The assassins stabbed him in many places, and when his body was found the following morning the head was almost completely severed from it.

In addition to the sorrow caused by the loss of such trusted priests and old friends, Dr. Poynter had to face the problem of supplying their places. The difficulty was increased by the return of many of the French refugee priests to their own country, in consequence of the restoration of the Bourbons, and their consequent loss to the English mission. Among those who returned to France, the most important loss was that of the Abbé Carron of Somers Town. He took farewell of his parishioners, as he thought for good, in 1814; and though he

came back in the following year, during the "Hundred days," he left finally shortly after Dr. Poynter's return from Rome.

In his great need of priests, Dr. Poynter naturally turned to St. Edmund's College for help. Writing to the president, Rev. Joseph Kimbell, on July 14, 1815, he says:— [1]

"My most painful distress at present for want of priests is beyond your conception. Greenwich, Woolwich (dreadful want), St. George's Fields, where I fear we shall lose Mr. Griffiths, and Mr. Bramston cannot support the fatigue he has to go through, Virginia Street, Gosport, etc. . . . I beg you to consider what a priest is now to the London mission, and to know that I am under the greatest anxiety and pain of mind on account of the state of some congregations."

The reason for the "dreadful want" at Woolwich was that an Irish priest, taking advantage of the disputes between the Catholics of the two nationalities, had opened an unauthorised chapel. He had no faculties from Dr. Poynter, whom he said that Dr. Milner had shown to be unorthodox. A certain number of Irish were led to frequent his chapel. When the Rev. Stephen Green, the authorised missioner at Woolwich, died, and for a time no resident priest was appointed in his place, the majority of the congregation, numbering several hundreds, frequented the unauthorised chapel. The situation appeared to be growing serious. The credit of bringing it to an end was due to the Rev. Charles McDonnell, a well-known Franciscan, one of the chaplains at St. George's Fields. He was accustomed to supply at Woolwich on the Sunday, and being himself both by name and race an Irishman—though born in London—he succeeded in gaining an influence over both priest and people. The chapel was shut up; but it is sad to have to add that the priest in question shortly afterwards left the Church, and was afterwards a Methodist preacher.[2]

In the need of priests with which he was confronted practically the only source of supply to which Dr. Poynter could look was St. Edmund's College. Unfortunately the College did not flourish with the Rev. Joseph Kimbell as its President, and he left early in 1817. In order to supply his

[1] *St. Edmund's College Archives.*

[2] These details are taken from a letter of Dr. Poynter to Rev. P. Macpherson, a copy of which is among the *Westminster Archives.*

place, Dr. Poynter offered the post to Rev. John Bew, D.D., formerly President of Oscott, whose acquaintance he had made in Paris, where they had been engaged together over the work of reclaiming the property of the English Colleges, Dr. Bew being the representative of the old Paris Seminary. It may be called to mind that he had a good reputation as a scholar, but his alliance with the Cisalpine laymen had at one time brought him into bad odour. He had also been friendly with the "Staffordshire Clergy," and sided with them against Bishop Gibson in 1798, during the vacancy in the Midland District, of which he claimed to be Vicar General. It was a welcome sign of the memory of these disputes having faded into the past that Dr. Poynter should have even thought of offering him the post, and it need not surprise us to learn that it caused Milner great annoyance.

Dr. Bew accepted the offer, and a day was fixed for his installation, when he had a slight stroke of apoplexy, and thought it prudent in consequence to relinquish the idea.

Dr. Poynter, next turned his thoughts to the Rev. John Lingard, his former pupil at Douay, who by origin belonged to the London District. The Bishop's letter to him is worth quoting, as showing the reputation which Lingard had already attained as a scholar:—

"Permit me, my dear Sir," Dr. Poynter wrote,[1] "for the sake of religion, to press upon you urgently to accept of a situation where you would be at hand, and would have leisure for this great cause which calls for your valuable services. The situation is that of being President of St. Edmund's. Your influence and character there would do all. The burden of the duties of the house would be borne by others in their stations. You would only have to teach Divinity one hour a day, the rest would be for your own literary pursuits, and the public services such as the times call for, besides as I said the general superintendence of the College."

Lingard's answer to this letter has unfortunately not been preserved; but we can easily imagine what it would have been. Throughout his life he continually avoided being forced into high station, and his retreat at Hornby, where he could prosecute his studies in privacy, would have been more

[1] See Dr. Poynter's Letter-Book (*Westminster Archives*).

to his taste than so public a position as the Presidentship of Old Hall then was. He did not accept Dr. Poynter's offer, and the latter fell back once more on Dr. Bew, who having recovered his health, consented to undertake the work, and was duly installed during the summer of 1817. He did not, however, continue many weeks, his health after all proving incapable of standing the strain, for he was now an old man. After some delay, the Rev. Thomas Griffiths, who was then Vice-President, was appointed President at the unusually early age of twenty-six. The appointment was severely criticised, especially as the new president began by some drastic economies, and made a great effort to make the college more ecclesiastical in tone, which involved the dismissal of a certain number of the prominent lay students, some of them belonging to families of influence. Dr. Griffiths, however, soon lived down the hostile criticisms, and by his remarkable personality, and the saintliness of his life, obtained a lasting influence over the students, many of whom he was destined to rule over in the future as Bishop of the London District.

When we turn to Dr. Poynter's general work in the district, we find a steady development in all directions, involving continual effort on his part. It was indeed about this time that the position of the vicar apostolic as practically the leader in all ecclesiastical affairs was forming itself, and the work of the Catholics of the upper classes becoming no longer so essentially necessary, their leaders began to fall into the background.

The chapels opened in the London District during these years included one at Stratford (1817) where Mass had hitherto been celebrated only in the room of a private house; one at Horsham (1819), to replace that at Roughy, where the estate had been bought from the Weston family by the Duke of Norfolk; the Abbé Morel's chapel at Hampstead (1816), which is still in use; and temporary chapels at Brentwood and Hertford respectively. A new chapel was likewise opened at Poplar (1816), where the Irish population were becoming very numerous, and a regular congregation was formed by a French priest, the Abbé des Forges, at Palatine Place, Kingsland (Stoke Newington). But the chief energy of Catholics was absorbed by the building of the new church at Moorfields, which was on a far larger scale than anything hitherto at-

tempted in London. A few words about its building will therefore be in place.

The originator of the scheme to build the church was the head "chaplain," the Rev. Joseph Hunt, uncle to the well-known Provost of Westminster of later times. No doubt his primary idea was to provide for the wants of his own mission, which—situated in the heart of the City—was growing rapidly. The houses of Finsbury Circus were then the residence of rich City merchants and others, and there was also a very large poor population. The lease of the ground at White Street, where the old chapel stood, had not many years longer to run, and it was imperative that something should be done.

The appeal for subscriptions, however, was made far beyond the limits of the mission, or even of London itself, and the work was looked upon as a national one so far as the Catholics were concerned. They wished to make it a thank-offering for the granting of liberty of Catholic worship, and to put up a church of a size and beauty of architecture such as their ancestors had not known, nor even dared to hope for. The style adopted was Italian, as would be expected at that date, the architect being Mr. John Newman. A site having been obtained from the Corporation of London on favourable terms, the building was commenced in the summer of 1817. The formal laying of the foundation stone took place on August 5. Dr. Poynter in a letter describes it as follows:—[1]

"Last Thursday I publicly performed the ceremony of laying the first stone of a Catholic Chapel in Moorfields, which will be above 120 feet long and 70 broad. I first said Mass in the old chapel, and after a discourse which I made on the occasion, I then blessed the stone, which was carried to the foundation and there laid with solemnity. It was truly gratifying to see the good behaviour of the concourse of people. The Lord Mayor of the City of London has been very kind to us in this business. Sir Charles Flower, one of the aldermen, came to the ground, and gave orders that every attention should be shown to me. . . ."

The walls rose rapidly, and before many months had elapsed the roof was on. At this stage a suspension of the work took place, chiefly owing to the funds being exhausted.

[1] *Westminster Archives.*

During the interval which elapsed while further money was being collected, the architect made a tour abroad, to study schemes of decoration. After an absence of about a year, he returned and work was resumed, and brought to a conclusion.

The solemn opening took place on April 20, 1820, and was a joyful day in the history of English Catholicity. Dr. Poynter sang Mass, and also preached, being called upon at short notice in consequence of the illness of the Rev. James Archer. Vincent Novello—then organist at the Portuguese chapel—came in person, and a choir was made up from members of the different London choirs. The Rev. James Yorke Bramston was assistant priest, and some forty priests were in the sanctuary, while the congregation was only limited by the capacity of the church, which was capable of holding about 3,000. The Holy Father himself marked the occasion by sending as a present a beautiful gold chalice.

The next question to engage our attention is naturally that of the "charity schools," as they were then called, and it is interesting to find the education question already asserting itself at that early date. There was indeed no public money to be applied to education. The Church of England supported a number of schools, and two societies had recently come into existence, the National Society, in connection with the Church of England, founded by the S.P.C.K. in 1811, and the British and Foreign School Society, established in 1808, to carry on the work of Mr. Lancaster, who was a Quaker, and whose schools were undenominational. The Catholics were not behindhand in proportion to their numbers; but they were sadly hampered by want of means, for the majority of the Irish for whom they had to provide were extremely poor. According to Charles Butler, there were in all three schools belonging to the associated charities,[1] and a fourth Catholic school in connection with St. Patrick's, Soho, educating in all about 1,200 children. This was far below the requirements. It was calculated that in the East End there were not far short of 1,000 Catholic children receiving no education, and a larger number south of the Thames. In many cases also children stayed away from school for want of clothes or boots.

[1] That is, the old Beneficent Association, Laudable Institution, and others which had been amalgamated.

St. Mary's, Moorfields

Under these circumstances it was natural that those responsible should be willing to accept any arrangement which might provide for the education and clothing of some of the children, so long as all that might be considered absolutely essential to Catholic education was provided. An opportunity of this kind arose, and led to considerable controversy and difficulty. This must therefore be described in order.

The originator was a certain Mr. Thomas Finigan, an Irishman who had been a master at the Catholic school at Moorfields, which he left in 1811. When he was out of employment, it soon appeared that he was willing to barter his religion for his living, and in point of fact, in July, 1813, he formally declared himself a Protestant. Nevertheless, he did not publish his change of religion among the Catholics, for reasons which will appear as we proceed. He went, however, among Protestants, and persuaded a number of them to contribute to the support of a school which was to be nominally Catholic, but which was to be accommodated in certain important particulars to Protestant prejudices, the essential condition being that he should "use no book in the school for reading but the Holy Scripture, without note or comment, except a spelling book, leaving the children free to attend what place of worship their parents might prefer".

He began in June, 1813, in St. Giles's—"Little Ireland," as it was popularly called—with a Sunday School, "without introducing any catechism or creed"—which it might have been supposed would at once have put people on their guard. Some seventy children, however, were at once sent to the school. It soon developed into an evening school, and then a regular day school with over 200 scholars. It was so far recognised as Catholic that the managers of St. Patrick's Schools, Soho, made a proposal to unite the two institutions; and it was only on their carefully examining the system of education pursued by Mr. Finigan, that they broke off these negotiations. Gradually ominous reports began to circulate to the effect that the children were taught Methodist hymns, and were being perverted from their faith. The Rev. Peter Gandolphy of the Spanish Chapel took the matter up and preached a sermon denouncing the school. This led to a small riot. Many of his hearers assembled outside the school and threw stones, break-

ing most of the windows, while so many children were withdrawn, that the numbers fell at once from 230 to 38.

Gradually, however, Mr. Finigan got back many of his pupils, and now it became a trial of strength, for all the clergy were against him. He continued for several years. His supporters generously provided clothing and boots for those who required them, and some even good Catholics, considering that the essentials of a Catholic school were provided, did not refuse the offer.

Among the subscribers to the school were several Catholic names, notably that of Mr. Charles Butler. For this action Milner wrote strongly blaming him. He spoke of "our hero's attempt first to bully, and then by means of a Parliamentary committee to frighten one particular prelate into his plan of educating Catholic children at Protestant schools, a plan which he himself had long practically supported".[1]

Although Charles Butler never defended himself against Milner in print, he wrote a private letter to Rev. John Kirk with a view to explaining his conduct, and it throws a good deal of incidental light on the whole subject. He wrote as follows :—[2]

"I can't help mentioning the real fact respecting Mr. Finigan's school. I was an entire stranger to him until about five or six years ago, when the season being uncommonly inclement, and the poor of the parish of St. Giles's being in a dreadful state, an advertisement appeared from him stating their misery, and calling on the inhabitants of that and the neighbouring parishes to relieve them. Being confined by illness to my house, I desired him to come to me. He described himself,

"1st, as a Roman Catholic, and actively employed in promoting the Roman Catholic religion;

"2nd, he said that he was employed by some wealthy Protestant gentlemen to keep a day school, with no other injunction than that of teaching the children the spelling-book and to read the Protestant Bible without instruction or comment.

"3rd, that the children were to go in bands of twelve at a time to the Rev. Mr. Norris[3] to be taught the catechism and their religious duty.

[1] *Orthodox Journal*, December, 1817, p. 465, under the signature of "A Midland Catholic Pastor".

[2] *Kirk Papers* (Oscott) vol. iii.

[3] Rev. Edward Norris, chaplain at St. Patrick's, Soho.

"4th, that before the school opened in the morning they joined in saying the Litany of Jesus, and on its close said the Rosary. This he said was known to the gentlemen who patronised the school, and who consented to it, provided it was not done in school hours.

"5th, that he and his wife attended the children to the Catholic Chapel every Sunday.

"6th, that his school was chiefly attended by children who could not attend the Catholic school for want of clothes.

"I gave him one pound for his charity, and one pound for his school.

"About six weeks after, I learnt that the children were taught Methodist hymns. A gentleman and I then visited the school, and certainly found no reason to believe the charge was founded.

"But some time afterwards a gentleman put into my hands a publication extensively circulated, and signed by some of the leading patrons of Finigan's school, in which the general body of the Irish Catholics and the Catholic religion were spoken of in terms of the harshest and lowest abuse.

"It appeared to me very improbable that entertaining such sentiments, and using such language, their intentions in support of these schools could be really kind to the Catholic objects of it: I therefore determined to subscribe no more to it, and I did not renew my subscription. Nor from that time have I ever exchanged one word with Mr. Finigan."

We can supplement this account with additional details. There can be no doubt that Charles Butler had in view a school where Catholics and Protestants could study the Bible side by side, avoiding points of controversy. A scheme was set on foot in 1816 for establishing a school at Shadwell on these lines, and in view of the assistance likely to be obtained from wealthy Protestants, several Catholics supported the scheme at first. Among these were the Rev. Richard Horrabin, one of the chaplains at Virginia Street, though he was guarded enough not to commit himself except hypothetically upon the approval of the vicar apostolic being obtained. His mission numbered over 14,000 Catholics, while his school had only accommodation for 100, so that he was naturally anxious for such help as could be obtained. Charles Butler was one of the

most prominent supporters of the scheme. He promised to make a speech on the occasion of the formal opening of the school. Before doing so, he consulted Dr. Poynter as to whether it would be lawful for Catholics to send their children there. Dr. Poynter, after inquiring into the matter, decided in the negative; and considered that Butler had gone too far and acted improperly. It is due to that distinguished lawyer to add that he accepted the decision, and with commendable submission, stayed away from the opening ceremony.

Nevertheless, Butler continued to hope that some means would be found for establishing an "undenominational" school which Catholics could attend. In that year a Parliamentary Commission was investigating the whole education question, and Charles Butler was one of the witnesses called. In his evidence he stated that many Catholic Bibles were circulating in France which had no notes; and although all existing editions of the Douay Bible had notes, that was a matter of discipline which the Bishops could—if they thought well—alter; and in that case, he saw no reason why they should not use the Protestant Bible, as the translation differed very little from the Challoner revision in use among Catholics. At his suggestion Dr. Poynter was called, and he gave an exposition of the Catholic attitude. He said that it might be possible for children to receive their secular instruction in school hours and their religious instruction at a different time, if the priests had sufficient leisure to attend to them—which at present they had not; but it was in every way preferable, when possible, that they should be taught secular knowledge together with religious knowledge in a school where all or nearly all the scholars were Catholic. He said that he could not approve of Catholic children being allowed to read the Protestant Bible, not even passages which were the same in the Protestant as in the Catholic version, for the Church considered the Scriptures a sacred deposit, and could not recognise the authority of any non-Catholic body to translate them. He said that under a suitable supervision, Catholic children were allowed to read the Bible in the vulgar tongue; but he deprecated using it as a school reading-book, as that would cause the children to lose their respect for it. He said that education without religion was rather dangerous than beneficial, and although he admitted that there

were very many Catholic children for whom they were unable to provide a Catholic education, he could not see any plan by which they could be educated by Protestants in a manner he could approve of, nor that they could get any sufficient moral instruction simply by reading the Bible.

Several other priests were examined. Mr. Bramston spoke of his experience at St. George's Fields, and the immense amount of work the clergy had to sustain; but on the theoretical aspect he was exceedingly cautious in his answers, as an old lawyer would be, especially knowing as he did that he was to be followed by Dr. Poynter. Later on the Rev. James Archer was examined, as also Rev. R. Horrabin and E. Norris. On the whole, they all created a favourable impression. It was clear that they were united as to what they wanted, so far as principle was concerned, and their opinions were respected.

Closely connected with the elementary schools were the upper class schools conducted by communities of nuns. We have already alluded to the complaint made to Rome against Dr. Poynter in connection with what was spoken of as "the unveiling of the retired ladies," a quaint expression used in order to avoid the explicit mention of nuns or convents. The following is Dr. Poynter's own account of what happened, translated from his explanation to Cardinal Litta:—[1]

"Shortly before my departure from London last November I learnt that our Government would not continue the help to the English nuns who had been forced by the Revolution to migrate from France and the Provinces of Brabant to England, which it had hitherto allowed them. Since therefore it was to be feared that many communities of our nuns would be left in extreme want, I at once went to the Ambassador of the King of France residing in London, to take advice about this business. He answered me concerning the nuns who had been driven out of France, that from January 1, 1815, they would receive a fixed allowance if they returned to France; but it would not be given to them if they remained in England. He added that he could not answer for those who had come from the countries now subject to the Sovereign Prince

[1] *Westminster Archives.*

of the Netherlands.[1] I presented a petition to the Ambassador of this High Prince in favour of these nuns. He answered that he had received no instructions in their regard; that he was moved by their very unfortunate condition, and that he would send my petition to his Sovereign Prince that very day. In the meantime I approached Lord Liverpool, our Secretary of State, and put before him the case of these nuns; who seeing that they would be left in extreme want, if they were to be deprived of the assistance which they had hitherto received, was moved by their lot, and seemed to wish to help as much as possible. And in truth I hoped for some assistance from him, at least through the intervention of the French Ambassador, who declared to me that in conjunction with the Ambassador of the Sovereign Prince of Holland, he would recommend the cause of these nuns. I remarked to Lord Liverpool that many houses of our nuns were most useful for the instruction of the girls of Catholic families. I explained to him my opinion that it would be much better if the children of Catholics received their education in England, and I showed that I was very desirous that these religious communities should remain in the country. Lord Liverpool seemed to assent to my wishes, but informed me in confidence that since peace was restored and everything had returned into right order, the King's Ministers were not able to protect these communities as religious houses; but that if the Religious women were prudent, and were to show themselves outwardly as teachers of girls not as nuns, they would not be disturbed. Being exiles, they had worn the religious habit for a time, and they had advertised their schools under their religious titles. Therefore as I wished to do everything possible that these religious communities might remain in England, and that they might be able to preserve all that had reference to the substance of their institutes, I told my two Vicars whom I left in London, that in view of the necessity of the case and the greatness of the danger, they might arrange that those nuns who were in the London District should wear a simple and decent dress rather than all the external form of a habit;

[1] *I.e.* William Frederick, Prince of Orange. He took the Oath of Fidelity as Sovereign Prince of the Netherlands on March 30, 1814. A year later he assumed the title of King.

and I told them that their schools were not to be called convents of nuns, but houses for the instruction of girls. This seemed to me and to those prudent men whom I consulted to be both advisable and necessary in order to keep the nuns together in England, in the face of the changes of public events which threatened their dispersion. And certainly, not only in other parts, but also in Rome the circumstances have often been such as to render it necessary for nuns to put off their religious habit, in order to adhere to the substance of their religious state. Moreover, when in the month of December I was at Paris, through my friend the Bishop of Aire, who presided over a certain association instituted in order to provide support for nuns, I endeavoured and I hope not in vain, that an allowance should be sent to our nuns who remained in England. All this I did with great solicitude in consideration of all the circumstances, for the preservation and support of those nuns. But for that reason after my departure from London, a great clamour was raised against me by certain persons who were wholly ignorant of what I had done, especially by a certain priest of too proud a spirit, named Gandolphy, who wrote a letter to the nuns about this business which greatly displeased my illustrious colleagues, Dr. Gibson and Dr. Collingridge, as well as all the London clergy."

The priest here alluded to was the Rev. Peter Gandolphy, who afterwards became notorious by his long dispute with Dr. Poynter. He protested loudly against the order given to the nuns, and even called upon them, in a printed circular, to disregard it. The communities concerned were the Benedictines of Hammersmith,[1] the Sepulchrines of New Hall and the Poor Clares of Gosfield, in Essex.[2] There was a fourth convent in the London District—that of the Benedictines at Winchester[3]; but they were far away from London, and received no circular. Gandolphy succeeded in raising quite a considerable ferment, chiefly among those who may be called Dr. Milner's party. No one spoke more strongly than Milner himself, who thought he saw in the order the effect of the influence of the Cisalpine laymen, who were never over friendly to convents. Yet curiously enough it was the very same

[1] Now at Teignmouth.
[2] Since absorbed in the community at St. Clare's Abbey, Darlington.
[3] Now at East Bergholt, Suffolk.

course which he himself had taken twenty years earlier at Winchester, when the Benedictines first settled there: for it was by his advice that they at first refrained from wearing the monastic habit. And later on, when Sir Henry Mildmay's bill against convents was in danger of passing, he boldly put forward the plea that "There are no convents in this city, but only Catholic schools, licensed according to the Act of Parliament".[1]

It seems strange after all this to have to add that no order was ever given to the nuns to the effect alluded to. The circular they received, with Dr. Rigby's name appended, was denounced as a forgery, and though few people at the time believed it to be so, there cannot now be any doubt on the matter, for we have it in Dr. Rigby's own writing, in a letter to Dr. Kirk, dated January 5, 1815[2]—within three weeks of his death—that he had sent no order of the kind to anybody. A similar statement was quoted by Mr. Bramston in Rome. As to who perpetrated the forgery, nothing seems to have been known. It must have been some person who was acquainted with the instructions which Dr. Poynter had left behind him, and some one who was bent on mischief, for the order was put in abrupt language, and evidently intended to give offence. There seems in the event to have been no public agitation against the nuns to call for the proposed measure.

There was, however, a considerable agitation against the Trappist monks at Lulworth, which was intensified by the fact of their being for the most part foreigners. They had already suffered more than once from groundless rumours raised against them. At one time it was said that Jerome Bonaparte was concealed there; at another time the monastery farm was searched for concealed firearms, needless to say, without result. In 1812, Dom Augustine, Abbot of La Trappe, suddenly appeared in England, to everyone's surprise, for he had been thought to be dead. The history of his remarkable adventures is given in the *Laity's Directory* for 1813. He had been arrested at Bordeaux in 1811, and condemned by Bonaparte to be shot; but owing to a curious combination of circumstances, he succeeded in getting free, and concealed his identity

[1] See *Dawn of Catholic Revival*, ii. p. 203.
[2] *Kirk Papers* (Oscott), vol. iii.

while he walked from one end of France to the other, and in other countries as well, having traversed—according to his own statement—some 900 leagues, and spent a whole year on the road, begging his way from place to place, at the very time when a reward was offered for his capture. His community were all dispersed to their homes, except a certain number who were deported to Corsica, where they received very severe treatment.

On his escape to England, the Abbot of La Trappe took up his residence at Somers Town, where he issued an appeal for founding a house in Canada; but he afterwards changed his plans, and went to the West Indies, taking with him a small community. But he did not remain there long, for on the restoration of the Bourbons, he returned to France.

In the meantime the Trappists at Lulworth found themselves in trouble in several quarters. They refused to say the prayer for the King of England which was then, as now, customary on Sundays, considering that their nationality excused them. The matter was reported to Bishop Collingridge, who insisted on their saying it. In 1816 various rumours against them were in circulation, most of them being too improbable to gain credence; but as the result of a correspondence between Mr. Weld and Lord Sidmouth (formerly Henry Addington), the Home Secretary, it was decided that it would be wise to give way to popular prejudice sufficiently to recommend the monks to return to their own country, which owing to the fall of Bonaparte was by that time once more open to them. They accordingly left the following year. They embarked at Weymouth, to the number of about fifty, on July 10, 1817, and on arrival in France they settled in an ancient Cistercian Abbey, la Meillerai,[1] near Nantes. Those who were not of the French nationality remained behind and were secularised.

Returning now to Dr. Poynter's difficulties, we find that he was confronted with several other problems besides those

[1] From this Abbey the well-known Mount Melleray in Ireland took its rise; and from there in turn came the monks who founded the Abbey of Mount St. Bernard in Leicestershire, by invitation of Mr. March Phillips de Lisle, in 1837, so that the present community there are descended from that formerly at Lulworth.

already stated. It was about this time that he wrote to a fellow bishop in the following terms:—[1]

"I do not think there is a Bishop in the Catholic Church in so painful a situation as I am in. The Irish Bishops are unjustly turned against me, Bishop Milner circulating his libellous pamphlets against me in the London District, and over the whole Church; our Catholic gentlemen in their eagerness for Emancipation press the conditions imposed by the legislature, and amidst this their eagerness no common prudence, firmness, and patience is needed to keep them right. Your Lordship has reason to compassionate me: I hope you will pray for me and be ready to instruct and support me."

"Bishop Collingridge was with me ten days," he added, "and in those ten days his nerves were so shaken that they were not restored to their usual tone for a month after."

The only means that helped Dr. Poynter to face his troubles was the unwearying and continued support of his colleagues in the episcopacy, both in England and Scotland, with the one exception of Milner. The letters of Dr. Smith, his former pupil and afterwards his colleague at Douay, were in particular a continual support and encouragement to him, as also were those of Dr. Collingridge; while in Scotland, Dr. Cameron frequently wrote to express his confidence in the London Vicar, and his sympathy with him in his trials.

In addition to the difficulties mentioned by Dr. Poynter in his letter, further ones arose within the next few years. The question of the Blanchardist schism among the French clergy in London revived under new circumstances, due to the restoration of the French Royal Family; the whole question connected with the re-establishment of the Society of Jesus in England reached an acute stage; one of his priests, the Rev. Peter Gandolphy, was appealing to Rome against him, at first with success; and in the midst of all this, when his presence was so urgently needed at home, at that very time he was forced to spend month after month in Paris, working to reclaim the British property connected with Douay and the other Colleges, which had been lost at the time of the Revolution.

These difficulties, great as they were, became rendered greater still from the fact that Dr. Poynter well knew that he

[1] *Archives of the English College, Rome.*

could not count upon a favourable hearing in Rome. He had failed also to secure a coadjutor: Milner's opposition to Mr. Bramston caused the matter to be postponed; and in the several questions which would be fought out before the Holy See, Dr. Poynter knew that he had an uphill task before him. In England also Milner's persistent opposition caused him continual trouble. An account of these various difficulties, and the manner in which Dr. Poynter coped with them, will form the subjects of the next few chapters.

CHAPTER XXVI.

BISHOP MILNER AND THE *ORTHODOX JOURNAL*.

WE have seen that when Bishop Milner was in Rome, he was admonished by Cardinal Litta against interfering in the concerns of other "Districts," and also from mixing himself up in political affairs. He was specially cautioned to refrain in future from writing pastorals or pamphlets against his brother bishops. Several questions arose, however, during the next few years in which he was necessarily concerned, and others about which he could not restrain himself from expressing an opinion. The only vehicle of communication left open to him was the public press, which he used freely. He not only wrote about current topics, but also continued to return again and again to past controversies. His writings were especially numerous in the *Orthodox Journal*. Some of these we have already had occasion to quote. It will be well now to make ourselves acquainted with the nature and character of that periodical, which had an important influence on what may be called the Catholic politics of the day.

It is hardly necessary to say that during penal times, even after the most oppressive laws had ceased to be put into force, Catholics had nothing like a regular periodical in which to express their sentiments. The earliest one to be met with is the *Catholic Magazine* printed in Liverpool in 1801, although published in London. This, however, does not appear to have had a long life. Again, the French emigrants published a periodical called the *Ambigu*, edited by Monsieur Peltier, from which we have already had occasion to quote; but it did not deal with English Catholic affairs, except occasionally when it happened that their own French interests seemed to be affected. The only publication approaching to the nature of a periodical was the *Catholic Directory*, which then as now appeared every

year. The edition published without the Ordo was known as the *Laity's Directory*. It always contained an article under the quaint title of "A New Year's Gift," usually written by the London vicar apostolic, and consisting of an exhortation based on some subject of current interest; and after the Act of 1791 there were usually some articles on the events of the year. Many of these were written by Milner. There was, however, no systematic presentment of the news. In the early months of 1813 a few numbers of a periodical called the *Conciliator* appeared; but it soon came to an end. The first serious attempt at a lasting Catholic periodical was Andrews's *Orthodox Journal*, to an account of which we now proceed.

William Eusebius Andrews was a native of Norwich and was engaged for some years in the printing office of the *Norfolk Chronicle*, to which journal he was afterwards appointed editor. His parents were both converts, and he seems to have inherited their somewhat extreme views on Catholic questions. While occupied in his work on the *Norfolk Chronicle*, the idea came vividly before him of the good that might be accomplished by a competent Catholic periodical, and he determined to make an attempt to found one. He accordingly came to London in the summer of 1813, and in the month of July he issued the first number of a monthly magazine which he entitled the *Orthodox Journal*. He explained why he chose that title. Joseph Berrington had written a letter, under the name of "A Friend to Truth," in which he said, "The epithet Orthodox is oddly chosen; and if it be meant to denote the symbol of Party, I may predict your labours may soon be closed". The editor answered, "The word Orthodox I admit was *oddly* chosen, because I fixed upon it myself, without consulting any one individual on the subject. My reason for this choice was that if the sentiments contained in the work were according to its title, it could not belong to *any* party, as it would be on the side of TRUTH, which ought to be the aim of *all* parties." [1]

Nevertheless, the title of the periodical did in fact denote the party to which the editor belonged. The main object of the *Journal* was to be a weapon to combat the Catholic Board. This Mr. Andrews admits, in the same article just quoted. He writes:—

[1] *Orthodox Journal*, 1813, p. 173.

"As to my labours, how soon they will be closed I know not. I commenced them without the assistance of any one, and even against the advice of many of my friends. My sole motive was to aid the cause of the Catholic Church, and to caution my Catholic brethren against the workings of a PARTY, who have entailed more disgrace upon the Catholic name by their casuistical policy, than all the calumnies raised against it by our enemies since the Reformation. A PARTY whose actions, as I am credibly informed by a gentleman lately returned from Ireland, have gained them the approbation and applause of Orangemen in that country, and the reprobation of every honest and upright mind."

Andrews was a whole-hearted admirer of Milner, from whom he adopted both his politics and his methods. He wrote in a very similar style, and in equally strong language, so that it is at times difficult to tell one writer from the other. The successive numbers of the *Journal* vied with one another in the virulence of their abuse of Andrews's political opponents. All the previous dissensions among Catholics were continually dragged out again in more and more combative language. Large capital type, or italics, were frequently used to bring catch phrases before the public eye. In turning over the pages, we frequently light upon expressions calling back the past, emphasised in this way: "Protesting Catholic Dissenters"; "Cisalpine or Anti-Papal Club"; "Jockeyed their Bishops"; "Schismatical and Persecuting Bill"; "The Fatal Fifth Resolution"; "Bound themselves to concur in adopting means for securing the Protestant Establishments"; "Bible Mongers"; "Vetoists and Intriguers"; "The Vetoists at their dirty work again," etc.

In justice to Mr. Andrews it should, however, be said that he was always ready to insert letters or articles written from a point of view differing from his own and Milner's, provided that they were signed; but few of those who objected to the whole tone of the *Journal* cared to write in its pages. They called it the "Pseudodox," and most of them professed not to read it. In truth, however, it was a power which could not be neglected, and the continual way in which Andrews reiterated his opinions month after month in the end had an effect on the course of events. And whenever any strong

attack on any of his opponents appeared, we find from their letters that they usually contrived to see it.

An unfortunate consequence of Andrews's method of writing was that he frequently found himself using harsh language against ecclesiastical dignitaries, including at times his own bishop, Dr. Poynter. Following Milner, he called him "a pensioner of the Catholic Board," and "a supporter of schismatics"; saying that his support of Blanchardism was too notorious to be denied; that he "was joined to a small party who had been for twenty years trying to undermine the Church," and so forth. He spoke similarly of other ecclesiastical dignitaries. The following instances, most of which are taken from a single article of Andrews, are typical of the language which he used throughout:—

"The year 1816 opened with a memorable instance of public self-degradation on the part of the lay leaders, and of secret oppression and injustice on the part of our spiritual superiors".[1]

"We have seen this ecclesiastic [Rev. Richard Thompson, Vicar General of the Northern District] bellowing forth the most unjust imputations against some of the members of an illustrious order of the Church at a Tavern dinner, in the midst of the jingling of glasses and belching of toasts."[2]

"This Rescript was pompously inserted in the public papers as addressed to the Vicar Apostolic of the London District, and countersigned by his Jansenistical Vicar General."[3]

"To enter into the merits of this document [the pastoral of Dr. Poynter and the other Bishops in 1813] is unnecessary: suffice it to say that it is a jumble of spiritual and temporal matters, purposely issued to forward the question of Emancipation, and there is reason to believe, the production of a layman."[4]

Speaking of Milner's expulsion from the Catholic Board, he says:—[5]

"The indignity thus offered to a spiritual superior, it was

[1] *Orthodox Journal*, May, 1818, p. 182. [2] *Ibid.*, p. 185.

[3] *Ibid.* June, 1820, p. 235. The vicar alluded to was Rev. Joseph Hodgson, formerly Vice-President of Douay.

[4] *Ibid.*, May, 1818, p. 180. The layman alluded to as the supposed author was of course Charles Butler.

[5] *Ibid.*, p. 179.

expected, would receive a severe censure from the other Vicars Apostolic, but what was our surprise when we found our leaders in spirituals seconding the scandal given by a factious few to the whole body of English and Irish Catholics, by assembling a packed synod at Durham, from which the Midland Vicar, the second in point of seniority, was purposely excluded. By this ungenerous and indecorous behaviour towards a prelate whose unrivalled qualities must shed a lustre on any meeting of divines, and whose acknowledged virtues and inflexible integrity would have stamped the synod with the character of authority, instead of its being rendered by this irregularity null and void, the standard of disunion was raised amongst those who ought to set an example of charity and unity, and a part of the little English Church became opposed to the interests of the great and ancient hierarchy of Catholic Ireland."

Andrews was more than once taken to task for his conduct in openly attacking his bishop. The following quotation from his editorial article in the May number of 1816 will indicate the line of his answer:—

"I remember being tauntingly asked by one of the Vicars General, some short time after I had commenced my journal, which he was pleased to say I had set up in opposition to my ecclesiastical superior, if I thought I should be able to injure the character of Dr. P[oynter]. To this I answered, no; it was not to be expected that an individual like myself could ever hurt the honour or dignity of a personage in so high a station. For although I was but a green-horn in editorial concerns, I was neither so foolish nor so vain as to imagine that I should be believed unless truth were conspicuous on my side. Therefore in detailing the public transactions which occur in our spiritual and temporal concerns, if any of them are deemed to be hurtful to religion or derogatory to the purity of its discipline, it is not I who detract from the character of the promoters by announcing them to the public, but those who are instrumental in promoting them and forcing me, as an impartial recorder of facts, to detail them. The present year, I lament to say, is already fruitful in acts of violence and injustice on the part of men clothed with ecclesiastical rank and power."[1]

Mr. Andrews did not even stop here. He used similar

[1] *Orthodox Journal*, 1816, p. 185.

language of the Roman authorities, and even of the Holy Father himself, whom he considered to be under the influence of wrong-headed advisers. He spoke of "the influence which an ambitious and crafty minister of state had obtained over the mind of the Pope, and who was leagued with the British ministry to grant the veto" [1]—alluding of course to Consalvi. In the matter of the veto, he even denied the Pope's power to interfere. He spoke of the "divinely inspired decisions of the whole hierarchy of Ireland," and contended that the Irish bishops when speaking collectively had greater authority than the Holy Father himself. The following three extracts give his own words:—

"Thus the matter is finally decisive on the part of those who *alone* are the judges in the case; for it were a folly to expect that the Pope would engage in a measure which a whole National Church has declared to be dangerous to that religion over which he is appointed to preside, but in the discipline of which as to Ireland he can make no alterations without the consent of the guardians of that Church." [2]

"If the consent of the diocesan is necessary to the enforcement of the decrees of a council, surely the Pope is unequal to change the discipline of a whole Church contrary to the solemn and unanimous decision of its guardians." [3]

"The English had no means of making a Canonical resistance to an erroneous determination of his Holiness—the Irish possessed a Church competent to make such resistance. The Church met and did decide against the Pope." [4]

From the first, Milner gave the *Orthodox Journal* his warm support. He wrote in the third number: [5] "I hope I may . . . congratulate with the Catholic public in your *Journal* of August on their possessing a periodical work of undeniable ability, orthodoxy and independency; one which cannot fail of promoting the temporal, without injuring the more important spiritual interests of the Roman Catholics of the United Kingdom. The ability and orthodoxy of its author appear upon the front of it; and as to his independency and immovable firmness in supporting his religious principles, I have it in my

[1] *Orthodox Journal*, July, 1819, p. 265.
[2] *Ibid.*, January, 1816, p. 6.
[3] *Ibid.*, June, 1818, p. 215.
[4] *Ibid.*, October, 1815, p. 375.
[5] August, 1813, p. 93.

power to certify that he has already withstood the various attacks of obloquy, threatening and alluring, which every orthodox Catholic writer is sure to experience in this age and country from certain persons of his communion."

Milner's support was not confined to praise and recommendation; but he himself wrote in almost every number. His language did not become less harsh as he grew older, and his attacks on Bishop Poynter were open and persistent. To quote them would only be to repeat many of his writings which we have considered in the foregoing chapters. Like the editor, Milner also continued to hark back on past Catholic history and former dissensions,—the Blue Books, the Protesting Catholic Dissenters, "the Cisalpine or anti-Papal Club"; The Fifth Resolution and "Schismatical Bill"; the Blanchardists and Abbé de Trevaux were continually brought back to the reader's mind by the use of large capitals; and all evils were traced to "the designing lawyer of Lincoln's Inn," the "Master Jockey," or other such names by which he called him. "Mr. C. B." (he wrote),[1] "for his own sake as well as for that of the English Catholics, had much better pass his time in eating turtle at the London tavern, or in playing at ball in the Tennis court at Charing Cross, or even in throwing dice at the gambling house in St. James's Street, than in disfiguring and undermining his religion, as he has been in the habit of doing, by his writings and his intrigues at Lincoln's Inn for more than these thirty years past."

We shall come across other instances of Milner's language about Charles Butler in a future chapter; but his asperity of language was not at all limited to one person. Perhaps the best known of his harsh words was that which concerned the action of Mr. Silvertop, a gentleman of position who was highly respected as one of the leaders of the Catholic body. Criticising certain incidents, and addressing some one unknown, Milner says, "When thou writest on true religion, spare no false doctrine or profane novelty, whether it be broached by a friend or a stranger, whether by a MR. SILVERTOP or a MR. COPPER-BOTTOM"; and warns him not to "gloss over latitudinarian decisions passed by Fox-hunting laymen amidst the orgies of Bacchus".[2] Even his brother bishops came in for their share

[1] April, 1819, p. 130. [2] March, 1816, p. 98.

of strong language. Milner speaks of "the falsehood of the pretexts which the Junior Prelate" [Dr. Poynter] "set up for his arrogance";[1] and says on another occasion that "in attempting to justify a faulty formulary by logical sophisms, the pastoral-writer has fallen into a glaring theological error"; and that "by publishing a political pastoral letter, [he] forces many a learned and pious pastor throughout the country to publish from the chair of truth doctrines and sentiments repugnant to his conviction and feelings. This is the first instance of its kind"; he concludes, "Oh! may it be the last".[2]

During Milner's visit to Rome, some of these articles were brought before the notice of Cardinal Litta, who spoke seriously to him on the subject, pointing out that it was unseemly for a bishop's name to appear continually in such a magazine. After Milner's return therefore he usually—though not always—wrote anonymously. Sometimes he used an anagram on his name as "Merlin"; at other times he called himself "a Midland Pastor," or "a Priest," or "an Alumnus of Douay," or some such name. His articles are, however, easily recognised by the style, and they are all identified in Husenbeth. In 1817 they were for a second time brought by Dr. Poynter under the notice of Cardinal Litta who, in answering the complaint, wrote on January 9, 1818, as follows:—[3]

"As to the writings of Mgr. Milner, several times at Rome, and by my letters to England I recommended him, and even commanded him, to abstain from writing. I have not been obeyed in this by Mgr. Milner any more than I have been by you with respect to my request that that Prelate should not be excluded from the councils of the other Vicars Apostolic, which fact cannot but cause me annoyance. For if indeed I were to write afresh to Mgr. Milner, I should not gain anything beyond drawing upon myself from his part also expostulations[4] with which I have been regaled more than once. For the rest, it is not in my power to prevent the inconveniences arising from the liberty of the press, especially as Mgr. Milner is not obliged to sign his name in the

[1] December, 1813, p. 269, note.
[2] January, 1814, pp. 27, 28.
[3] *Westminster Archives.*
[4] "*Reproches*": the letter was written in French.

Orthodox Journal. Until charity and harmony are restored among the Vicars Apostolic, all my efforts will be useless."

In his answer to this letter Dr. Poynter told Cardinal Litta that he was in error in supposing that Milner had been excluded from any meeting of vicars apostolic since his visit to Rome, for no meeting had been held. In point of fact, none was held exactly for that reason. The other vicars apostolic thought it would be useless to try and hold a meeting while the mutual relations were so strained. They did, however, practically exclude him from their counsels, or, at least, they did not consult him. His attacks on them made them close up their ranks, and had at least the effect of causing the vicars apostolic of England and Scotland to become closely united together. Bishop Poynter never answered the attacks in the *Orthodox Journal*. He looked upon them as calumnies, and thought the most dignified as well as the most Christian course was to take no notice of them. He simply proceeded on his way, and the others practically accepted him as their leader. The expression became stereotyped, "The Vicars Apostolic of England and Scotland, except one". In order to show their confidence in Dr. Poynter, the Scotch vicars apostolic constituted him their formal agent, thus imitating the action of the Irish in Milner's regard; but Dr. Poynter never made use of this in any public way, or alluded to it in public. It helped, however, to strengthen his position among his colleagues. And as London was necessarily the centre of most Catholic business, it often happened that Dr. Poynter was in the middle of it, while Milner sometimes did not even know what was going on. Of this he complained bitterly to Litta.

It is difficult to estimate with any degree of accuracy the strength of Milner's following. He himself always asserted that outside London the great majority were with him. This must be taken with a certain reserve, for a large proportion of English Catholics knew little or nothing about the cause of the disagreement, and only lamented the fact that it existed. In Milner's own district the clergy—with one or two exceptions[1]—were devoted to him, and looked upon the other vicars

[1] For example, Dr. Kirk of Lichfield, who though always obedient, was not in sympathy with his bishop.

apostolic as his unjust persecutors. They carried this feeling to such lengths that they sometimes even refused a priest from the south permission to say Mass in their churches unless he would first promise to take no part in persecuting their bishop. In the London District, the clergy were equally devoted to Bishop Poynter. Writing to Mr. Macpherson in January, 1814, he says,[1] "The attachment of all the clergy of the London District to me is a very great consolation indeed under the misrepresentations which Dr. Milner is circulating over England and Ireland"; and there is plenty of evidence to bear out the truth of this statement, as Milner himself knew. In the Western District there were one or two priests—such as the Rev. R. Plowden of Bristol, or to some extent the two Messrs. Coombes—who leant to Milner's side; but the majority were too scattered and too far outside Catholic politics to trouble much about the matter. In the Northern District, the feeling does not appear to have been very strong, until the question of the re-establishment of the Jesuits came to the fore. This divided the clergy at once into two parties: the ex-Jesuits and those who favoured them were on Milner's side, while the majority of the secular clergy were against him.

Coming to the laity, we find it chiefly a matter of nationality and caste. The members of the old English Catholic families were, with hardly an exception, bitterly opposed to Milner; and they were usually followed by their dependants and tenants—that is, those who were Catholics—chiefly perhaps from a feeling of loyalty; and the great majority of London Catholics felt similarly. On the other hand most of those of Irish extraction, even in London, sided with Milner. This included a certain number in the middle classes, so that, for example, Mr. Keating, who was the official printer to the London vicar apostolic, and who brought out the Directories every year, was a pronounced Milnerite. The majority of the Irish among the lower classes were also in a vague manner on Milner's side. Most of them had of course no very clear idea of the matters involved; those who were able to form a judgment looked upon the question of Emancipation from the Irish standpoint, and they believed that Milner's policy was to demand Emancipation as a right, while the British Catholic

[1] *Archives of English College, Rome.*

Board were asking for it as a favour and treating with Government as to conditions and securities. Milner estimates the Irish population as four-fifths[1]—an estimate which sounds surprising, for it was before the days of the Irish immigration. It must be remembered, however, that in the town populations, especially the ports, such as London, Bristol or Liverpool, the Irish were numerous.

In the matter of the veto the other vicars apostolic held a middle course. Naturally they disliked all talk of securities or arrangements, and the senior of them—Dr. Gibson—had from the first been absolutely uncompromising in his resistance to any kind of veto. The only time that he had ever wavered was when Quarantotti's Rescript arrived, which he believed to be the authoritative decision of the Holy See. As soon as he learnt that this was not binding, he at once resumed his former attitude. Dr. Poynter and Dr. Collingridge were less uncompromising. However much they personally disliked the veto, they took their stand on the decision of the Holy See, and felt bound to be ready to admit any "securities" which fulfilled the conditions laid down in the Genoese Letter.

The clergy of London who were opposed to Milner do not seem to have recognised that any particular principle was involved at all. They looked upon him simply as quarrelsome, and they traced the mischief to his disappointment at the failure to obtain his own transference to London some years before. Mr. Bramston, who was by nature as mild as his chief, Dr. Poynter, writes of Milner as "the author of more mischief against the Church than Luther himself". The other grand vicars, who had dealings with him about finance and other matters, were equally bitter against him; even his friend, the Rev. John Griffiths of St. George's Fields, had little to say in defence of his action. The only whole-hearted admirer of his among the London clergy was the Rev. Peter Gandolphy, whom he would have been better without. Dr. Poynter himself, in his private letters, spoke severely of Milner. The following extract from a letter of his to Dr. Kirk, dated August 11, 1819, is a fair specimen of the views he used to express:—[2]

"What can be done for this union between *all* the Bishops? Are not Bishops Gibson, Collingridge, Smith, the Scotch

[1] *Orthodox Journal*, June, 1813, p. 19. [2] *Birmingham Archives.*

Bishops and myself perfectly united? And what is the disunion of the other reduced to? That he has for at least nine years been in open opposition to his colleagues—has printed pamphlets and in low periodical publications misrepresented and inveighed against their conduct—has held me out to the people of my District in false character and exposed me most unjustly to public odium, which will end in only God knows what, though some are not without their fears. Can he be depended upon? Will not what is said in confidence be exposed to the public? Can any person do business with him? Does he not to this day unfairly and unjustly expose me to the public, notwithstanding the express prohibition of the Prefect of Propaganda? Has he any jurisdiction over me? Does he not in a democratic style appeal to the people rather than to Ecclesiastical authority? I from my heart do most sincerely forgive him all personal injuries, but official conduct is another thing. It is not to me alone that he opposes himself, but to the others. Have not we a right to judge what is most conducive to the good of Religion as well as he? This is to me a subject of great pain."

If the other vicars apostolic, however, did not so much as suspect that they could be wrong in their differences with Milner on any matter of principle, at least as much can be said on the other side of Milner himself. The confident belief which he had in his own judgments has already been alluded to more than once. It is safe to say that the idea that he took a wrong view, or even that there was anything to be said on the other side, never entered his mind. He looked upon the other vicars apostolic as simply influenced by worldliness and human respect, and practically in the hands of designing and ambitious laymen. This attitude is clearly brought out in his letter to Cardinal Litta, who had reprimanded him for his strong language, during his visit to Rome in 1814. He answered on the main question as follows:—[1]

"I maintain that I have uniformly endeavoured to preserve the public character and private peace of mind of my brethren by the offers which I have made of acting in concert with them and by my timely warnings of the consequences of their giving in to the measures of ambitious or interested laymen; especially

[1] *Archives of Propaganda.*

when the Fifth Resolution and the late fatal bill were proposed, and by the proposals and entreaties which I privately made them to prevent the consequences of their imprudence on these and on other similar occasions. But so far from listening to my advice, they have hardly deigned to hold any communication with me, since the unfortunate 1st of February, 1810, when they permitted themselves to be deceived by that lay faction which has ever since held dominion over them.

"As to my exposing the character of my brethren and other opponents in the public prints, I submit to your Eminence that whatever I owe to them, I owe more to the cause of the Catholic Church; that there is no disgrace in appearing in her cause even in the public newspapers; that by being thus publicly exhibited, it has on different occasions gloriously triumphed and reduced its antagonists to silence; that these antagonists and sometimes my brethren have had recourse to the same means and have been the first to employ them, and that the daily newspapers, the *British Press* and the *Globe*, are in the regular pay of the party calling itself the English or British Catholic Board, for promoting their dangerous projects against the rights of the Holy See and the character of its defenders. . . . To be brief, they did endeavour to disgrace and weaken this cause [of the Holy See], in consequence of formal resolutions to this effect, in the above-mentioned and most of the other newspapers which produced those answers to them in the unbought and truly *Orthodox Journal* which your Eminence has seen, and which have not a little contributed to induce the above-mentioned Board to appeal to the Holy See for its consent to dangerous innovations which they had schismatically endeavoured to carry without such consent."

The same confidence is observable in Milner's suggestions to remedy the evils of which he complains. The chief measure he proposes is that the Holy See should select "such one of her vicars as she most confides in," to assume something of the functions of an Archbishop, at least so far as concerns the convening of synodical meetings of bishops, drawing out the matter to be discussed, and presiding over the discussions. He proceeds to ask which of the four should be chosen for this office. He says:—

"It were natural to appoint the senior Vicar Apostolic for

those purposes; but it may easily happen that from age, infirmity of body or mind, or from his being notoriously under an undue influence he may be found unfit".

It is of course clear that these objections to Dr. Gibson would hold, in Milner's mind, to a much greater degree against Dr. Poynter; and Dr. Collingridge being a member of a religious order, and the Western District having been always considered outside such matters, this leaves only Milner himself; and it seems that in all sincerity, he believed that his elevation was the only possible solution to the difficulty.

Milner's feeling against Dr. Gibson unfortunately continued till the end. When he found that he was unable to induce the northern vicar to accept his view of things, or to act as he advised, he wrote him a farewell letter, which appears to have been somewhat freely circulated, for several copies are still to be found in the various collections of Archives. It is characteristic as showing Milner's utter inability to see things in any other light than his own, and the evident feeling of charity with which he wrote adds a curious element of pathos to the letter. It ran as follows:—

"CAVERSWALL CASTLE,[1] *April* 14, 1818.

"MY LORD,

"Happening to be here on a visitation, your niece put this letter into my hands to say whatever I may have to say to your Lordship. As it appears by your Lordship's and Bishop Smith's declining to answer my letters on business or to meet me on the common concerns of religion, I write this to take one leave of you, till we meet before the Judgment seat of the great Master, perhaps soon, very soon. Though I have reason to fear the issue of that trial for my personal sins, yet I have reason also to fear it for your Lordship, on account of your constant and unprovoked enmity and opposition to me, and your public ministerial conduct in many particulars. To declaim against the Veto, while its tendency was not understood, and as soon as this appeared beyond all dispute to mean a rigid oppression of the Church, to espouse

[1] Caverswall Castle, in North Staffordshire, was a convent where the Benedictine nuns formerly at Ghent had been since 1811. It was Milner's favourite retreat for rest and change and he was very intimate with the community. In 1853 they removed to Oulton, near Stone, where they now are.

the cause of it! To stimulate me to withstand the Fifth Resolution, and in the meantime to sign it privately yourself! When the effects of that fatal measure became manifest in the irreligious and schismatical bill (as I myself proved it to be before the Pope and his Cardinals), to hold a synod paid for by the Committee, in order to justify that detestable Resolution in your pastoral, and to get Quarantotti and the other Bonaparte swearers (as they all of them were) to sanction that Bill (for take notice, my Lord, I am in possession of Bishop Poynter's letters in which your authority is alleged to Quarantotti and Co. for the sanction!) To tolerate the Blanchardist schismatics for so many years after you had pronounced that they ought not to be tolerated! To patronise, at least by connivance, the Bible Society,[1] now condemned by the Pope, and Bishop Poynter's corruption of the Rheims Testament in compliment to that Society! Believe me, my Lord, that as a true and ardent friend of your soul, I tremble for the issue of the trial alluded to, and that I should be overwhelmed with sorrow were I to hear that your long protracted illness had at length terminated. I acknowledge your Lordship's former regard for me, and that you are my senior and superior; but St. Paul reproved St. Peter, and this very letter proves that I am,

"Your sincere friend in Jesus Christ,

"J. MILNER."

The *Orthodox Journal* at its first venture had a continuous existence of over seven years. A rival magazine appeared in 1815, under the name of *The Publicist*, edited by Mr. Keating, the bookseller: its politics were the same as those of the *Orthodox Journal*. In January, 1816, its name was changed to *Catholicon*. It only lasted three years altogether. In 1818 a periodical was started on different lines under the direction of Charles Butler called the *Catholic Gentleman's Magazine;* but it only lasted a year.

At length, in the second half of 1819, that which many people had been awaiting actually occurred: Bishop Milner fell out with Andrews. He took offence in the first instance at a letter signed "Candidus" which appeared in the July number.

[1] See chapter xxvii.

CAVERSWALL CASTLE

We shall discuss it in detail in a future chapter; let it suffice here to say that "Candidus" was a writer who defended Lingard against Milner's attacks. He likewise wrote in favour of Rev. J. C. Eustace's "Classical Tour," and defended Charles Butler. Milner declared that a letter containing such views ought not to have been published. In the following November, Andrews himself attacked Bishop Milner. He called a pastoral of his a "political circular" and declared that it had given him (Andrews) greater pain than anything which had occurred during his editorship. In consequence of this Milner declared that he would never again write for the *Orthodox Journal*.

Whether he would have kept his resolution, we can only conjecture; for other events happened, to which—though it is anticipating somewhat—it will be convenient to allude here. In the spring of 1820, Mr. Howard of Corby and Mr. Silvertop, on behalf of the Catholic Board, went to Rome to appeal against Milner's writings, and placed a collection of extracts from the *Orthodox Journal* before Propaganda. After considering these, and bringing the matter before the Congregation and before the Holy Father, the Cardinal Prefect sent Milner an imperative order to desist from writing in the *Orthodox Journal*, under pain of being deposed from his vicariate. The most important passage of his letter can be quoted in full.[1]

"Scarcely are we able to persuade ourselves how a Vicar Apostolic, bound by such close ties to the Holy See and the Sacred Congregation, can dare to forget his own ministry and spread abroad the seeds of discord, to trample upon the honour of high dignitaries who by their piety, learning and office shine pre-eminent among the clergy, and to incite the Catholic people against nobles of high birth, who not less for their rank than for the generosity with which they support the missions, deserve to be treated with all honour and respect. This does not proceed from zeal, as your Lordship may easily represent to yourself, but from a certain restless spirit of calumny and abuse, from which dissensions and other grave evils proceed; for as St. James teaches (iii. 16) 'Where envying and contention is, there is inconstancy and every evil work'. . . . The

[1] This passage forms part of a letter on the subject of the Jesuits, which will be discussed in a future chapter. The text of the part of the letter with which we are now concerned will be found in the Appendix J.

interests of religion therefore, the dignity of the Holy See and the peace of Catholics demand the uprooting of this seed of discord, and inasmuch as in England the press is free, and that disgraceful journal[1] cannot be suppressed, His Holiness wills, and in virtue of obedience due to the Supreme Head of the Church commands and orders your Lordship to take no further part henceforward, directly or indirectly, in the said journal, not to patronise or promote it in any way whatsoever, nor to furnish it with material or arguments, and far less with any contribution. I doubt not that your Lordship will render prompt and full obedience to the command of our most holy Lord; lest in the event of disobedience he should be forced to withdraw your faculties and remove you from your office as his Vicar."

To increase the indignity of this letter, it was sent to Dr. Poynter, with a request that he would read it and forward it to its destination.

Milner answered in his usual spirited style.[2] He declared that his writings in the *Orthodox Journal* had always been in defence of the rights of the Holy See, and entered into his customary enumeration of the matters in which he considered he was right and his opponents wrong—the Fifth Resolution, the "Schismatical Bill," the "Bible Society," the "Cisalpine or Anti-Papal Club," and the rest, on all of which questions he asserted that Cardinal Litta had approved of his action. He also added some words criticising a declaration of loyalty signed by the Catholics that year which he had refused to sign, which we shall consider in its place.

To this letter no reply was sent. Milner spoke of it afterwards as "unanswered and unanswerable". He promised, however, to obey the injunction of the Holy See, and never wrote for the *Orthodox Journal* again. His retirement proved the death-blow of that periodical. The last number of the series appeared in December, 1820. It was afterwards revived more than once; but never succeeded well enough to become permanent.

[1] "Abominabile istud diarium."

[2] See Appendix J, where the text of his letter is given.

CHAPTER XXVII.

THE CATHOLIC BIBLE SOCIETY.

THE term "Catholic Bible Society" has a strange sound in our ears; yet it is well known that an institution under this title existed in England for a time. The present chapter will be devoted to an explanation of the manner in which the idea originated, and the circumstances under which it was carried out, as well as the reasons which after a year or two induced its promoters to discontinue the title.

According to Milner, the movement in favour of Protestant Bible societies began in the year 1804. There was nothing incongruous in this movement: it was in accordance with Protestant tradition and practice. The only remarkable feature was its magnitude, for it extended to every town of importance throughout England. It was not, however, supposed that Catholics would take any part in it. Nor did they do so as a body; but on one or two occasions individuals became dangerously near being drawn into connection with the Bible-men. The following extract from a letter from Bishop Smith to Bishop Poynter, dated June 26, 1812, sounds the note of alarm:—[1]

"Your Lordship must have remarked lately in the newspapers," he writes, "the numerous meetings in different parts of the kingdom for the establishment of Bible Societies. What is the meaning of it? There certainly must be something more than meets the eye. I was not a little surprised to see that at a meeting lately at Hexham, of which Mr. Silvertop was chairman, it was resolved that another meeting should be held for the purpose of considering the propriety of forming one of these establishments in that neighbourhood. As I conceive that this distribution of Bibles is founded upon the avowed principle that each one is to form his Creed from the

[1] *Westminster Archives.*

Scriptures independently of tradition and the authority of the Church, surely Catholics ought to have nothing to do with it, especially as these Bibles have been corrupted and mutilated by the omission of whole books."

Dr. Poynter was of course fully alive to the dangers alluded to by Dr. Smith: yet he knew at the same time, that whereas the indiscriminate circulation of the Scriptures was not in accordance with Catholic practice, nevertheless it was a libel of their enemies to say that Catholics wished to discountenance the circulation of the Scriptures in the vernacular. The action of the English Catholics was indeed a standing proof to the contrary. During the previous sixty years especially they had shown great activity in the matter of publishing the Bible in English. The well-known revision of the Douay Bible undertaken by Dr. Challoner appeared in 1749; and further editions of the New Testament, under the same editorship, followed in 1750 and 1752 respectively. The names "Douay Bible" and "Rheims Testament" were retained then, as now, although the text had, to use Cardinal Wiseman's words, "been altered and modified till scarcely any verse remained as it was originally published"; while the old Rheims notes had been supplanted by a totally new set, composed by Challoner himself. Of the various editions which had appeared since that date, the handsomest was the well-known Haydock Bible, in two folio volumes, which appeared in 1811, the Rev. George Haydock being the editor, and Thomas Haydock of Manchester the printer. A second edition was printed in Ireland the following year, and several others afterwards appeared. All the Bibles published by Catholics were of fairly high price, for they naturally did not aim at a large circulation among the people.

The first sign of anything like a gratuitous distribution of Bibles among Catholics came from the Rev. Peter Gandolphy, when a junior chaplain to the Spanish Embassy. In 1812 he wrote a pamphlet with the long title of "Congratulatory Letter to the Rev. Herbert Marsh, D.D.,[1] on his judicious enquiry into consequences of neglecting to give the Prayer Book with the Bible". In this he wrote as follows:—

"If any of the Bible Societies feel disposed to try our es-

[1] The eminent Biblical scholar, afterwards Bishop of Peterborough.

teem for the Bible by presenting us some copies of a Catholic version, with or without notes, we will gratefully accept and faithfully distribute them".

Whether in consequence of this statement or not, the next year some Protestants set on foot a society which they called "The Catholic Fund," the object of which was to print an edition of the Rheims Testament and the Douay Bible, to circulate among the Irish, their avowed object being "to reflect some rays of Divine light among their brethren, who are still sitting in darkness and in the shadow of death". Of course they did not like the Douay and Rheims Version as well as their own Authorised Version; but they considered it far better than nothing. To use their own *simile*, it was giving "a turbid stream to a thirsty and perishing people". They proposed to print the text only, without any notes.

The whole scheme was manifestly one for proselytising; but nevertheless, when Mr. Blair—a surgeon of Bloomsbury Square, their secretary—communicated the prospectus to Rev. P. Gandolphy, the latter advised him to send copies to all the Irish bishops, which he accordingly did.

At this stage the Catholic Board took the matter up, and considering that the distribution of the Scriptures ought to be in Catholic rather than Protestant hands, they formed an association for that purpose. The resolution which they passed at their meeting on March 8, 1813, has been alluded to in a former chapter.[1] It was to the effect that "it is highly desirable to have a subscription entered into by the Roman Catholics of Great Britain for the purpose of promoting a gratuitous distribution of the Holy Scripture". Five days later, a Scripture Committee was appointed, on the recommendation of whom it was decided to establish an association, to be called "The Roman Catholic Bible Society"; and a scale of subscriptions was arranged. The minimum was to be a guinea. Those who subscribed more became governors, life members, or life governors, according to the amount.

Notwithstanding the Protestant sound of the title, there is nothing essentially uncatholic in the work of a Bible Society, provided that the rules of the Church are adhered to, and that the Bible is not put forward as the sole rule of faith, as it is

[1] See p. 29.

by Protestants. The promiscuous circulation of the text of the Bible in the vulgar tongue has always been contrary to Catholic discipline and practice; but a circulation under the control of ecclesiastical authority, provided that the version is approved, and that it is accompanied with a sufficient number of notes to guard against misinterpretation, is lawful and commendable. The well-known letter of Pope Pius VI., addressed to the Archbishop of Florence in 1778, in which he gave his formal approval to the circulation of the Scriptures in the vernacular, has commonly been printed in Catholic Bibles down to the present day. With respect to the New Testament especially, the practice is approved of, and in our own days, when the spread of education has created the demand, many societies exist for this purpose. The sixpenny New Testament of Messrs. Burns and Oates has been familiar to English Catholics for many years past, as also the penny Gospels of the Catholic Truth Society; while—to go to the centre of Christianity—in Rome itself, the New Testaments and Gospels published by St. Jerome's Society are, in the matter of good printing combined with popular prices, far in advance of anything yet produced in England.

The danger then of the new Bible Society did not lie in what they did, but in the spirit with which they did it. They purposely assimilated their aims and methods to those of the Protestant Societies so far as Catholic discipline would permit, and advertised their doings in order to show the "liberality" of their sentiments and practice. And in consideration of their action, the so-called "Catholic Fund" alluded to above was allowed to lapse.

When a danger of this character exists, there are two ways of combating it. One is to oppose the whole scheme and to endeavour to stifle and suppress it; the other is to try and control it and so to guard against its development on wrong lines. We should naturally expect that Milner would pursue the former course and Dr. Poynter the latter, and such was in fact the case. Dr. Poynter joined the original Committee, attended all the meetings and took an active share in the work, which he maintained he always restrained within the limits of orthodoxy; while Milner unceasingly cried out, in his most vehement language, against the whole scheme, which he con-

sidered essentially Protestant and objectionable. In order to make his opposition more effective, he issued a pastoral in which he denounced the "Bibliomanists" (as he called them), and warned his clergy to discourage the circulation of Bibles or New Testaments among uninstructed Catholics, exhorting them rather to procure copies of the *First and Second Catechism*, or the *Catholic Christian Instructed*.[1]

The first work of the Catholic Bible Society was to issue a New Testament, which was stereotyped, so that subsequent copies might be cheaply obtained. It was proposed to supply them in large numbers to the clergy for distribution among their flocks. It was edited by Dr. Thomas Rigby, of Lincoln's Inn Fields, Grand Vicar of the London District, while a preface was written by Dr. Poynter himself. In this he carefully lays down the object and scope of the society on Catholic lines. He begins by an explanation of the authority of the Vulgate as the only authorised version officially sanctioned by the Church, and its superiority if viewed merely as a critical authority over the existing copies of the original Hebrew and Greek from which the Protestant versions were taken. He then gives a short sketch of the preparation of the Douay and Rheims Version from the Vulgate, and of Challoner's revision of it. The study of Scripture has, he says, always been an essential part of all ecclesiastical education, and frequent instructions are given to the people, explanatory of portions of the sacred text read from the pulpit week by week. Then in the concluding paragraph, he explains the aims of the new society:—

"With a view of facilitating the means of religious instruction among the Roman Catholics of Great Britain, the English Catholic Board proposes to raise a fund for the purpose of printing and circulating at a very cheap rate an approved edition of the Catholic version of the sacred Scriptures in English, especially of the New Testament, with notes. It is moreover the intention of the Catholic Board, if the fund to be collected be found sufficient for the purpose, to extend its plan, and to provide means of supplying for the benefit of the poorer Catholics cheap editions of the most approved books of piety and religious instruction."

[1] The full text to this Pastoral can be found in the Appendix to Milner's *Supplementary Memoirs*, p. 302.

In a letter to Bishop Collingridge, Dr. Poynter describes the stereotyped Testament as follows:—

"The text is that of Bishop Challoner in 1749.[1] As to the notes, a few only have been omitted, under the revision of the late Dr. Rigby, who judged those he omitted as of very little use. The words in a few notes, 'Here the Protestants have corrupted the text,' are changed for a proof that ours is conformable to the original. Unhappily (he adds) I was concerned in it, and that was sufficient for Bishop Milner and those connected with him to find faults and motives to serve their purpose. The Board had nothing to do with the text or notes. Mr. Robert Clifford attended to the press."

The stereotype Testament formed a handsome volume, well printed and with a good readable page. It was printed in paragraphs, with the verses numbered in the margin. This was unusual at that time, and Milner found fault accordingly; but curiously in this the editor of the Stereotype Testament was only reverting to the way in which the original edition published at Rheims in 1582 was set out.

The question of the notes alluded to by Dr. Poynter led to considerable difficulty. The Protestants who were members of the so-called "Catholic Fund" called for the text only with no notes, threatening that unless the notes were omitted, they would proceed with their original intention of themselves publishing an edition of the Douay text pure and simple. Dr. Poynter, however, insisted that it was essential to Catholic discipline to have notes. Eventually through the mediation of Charles Butler, a compromise was arrived at, that there should be notes, but many expressions in those of Challoner which were offensive to Protestant feelings should be omitted. It is probable that one chief reason for choosing Challoner's first edition to work on was that the notes were much fewer in his first two revisions than in his third. About twenty of them were omitted in the stereotyped edition, some evidently on account of their harsh language; but in several cases at least the motive seems to have been theological. The consistent omission of

[1] That is of Challoner's first revision, which he is said to have himself preferred to his two later ones. This is the text used in the Sixpenny New Testament of Messrs. Burns and Oates, and the majority of the Catholic Bibles; but its adoption is by no means universal.

any note containing a reference to Purgatory can hardly have been accidental. Nevertheless it must in fairness be added that the great majority of the notes on texts bearing distinctively on Catholic theology are to be found.[1]

Milner found fault with everything which was done by the Bible Society, but his harshest language was as usual levelled against Charles Butler.[2] He speaks of "the most disgusting tergiversation such as must make every true Catholic blush"; that "in this extremity the grand artificer Mr. Butler stepped forward with his wonted deception," adding that he "unblushingly assured Mr. Blair (who appears to have blushed at witnessing such falsehoods from a gentleman acting in a religious business) that there was a misconception," and explaining that the whole question was due to the demand of the Protestant Society that there should be no notes, Milner concludes:—

"I blush and shudder to mention, but I must mention the termination of this important question. The Catholic Bible Society then has submitted to the terms imposed upon it by the Protestant Bible Society, and accordingly copies of a considerable part of its new stereotype edition of the Testament WITHOUT NOTES have been exhibited in several parts of England and Ireland. Thus have two Catholic principles been sacrificed at once to the worldly policy of a few individuals; who though mere laymen are now controlling the most important duty of the sacred ministry, that of instructing the bulk of Catholics, which they undertake to do by the naked text of Scripture; and this at the requisition of a Protestant Society who openly profess that their object in this is to undermine the Catholic religion."

These are strong words and involve a serious accusation. It might have been expected that Milner would at least have made sure of his facts, and been careful to ascertain that the Bible Committee were really circulating an edition without notes. As we have seen, however, such was not the case, and in the following number of the *Orthodox Journal*, Milner had to retract his statement. He does not, however, seem to

[1] For example, on Matt. i. 24, xvi. 18; Luke ii. 7; John vi. 54; 1 Cor. ix. 5, etc., etc.

[2] *Orthodox Journal*, September, 1813, p. 129.

have been any better pleased than before, as appears from the following remarks which he appended:—

"But, O Mr. Editor," he wrote,[1] "how much more consistent in itself and how much less injurious to the Catholic religion would it have been if these Bible-mongers had published the Scripture without any notes at all rather than with such as I am well assured they have actually stereotyped; namely good Bishop Challoner's notes cut down nearly to the standard of the Established Church notes, which may entertain the poor Catholic readers, but which do not furnish them with the least antidote against the heretical misinterpretations of the text that they are exposed to hear every day."

In estimating the relative merits of the attitude taken up by Dr. Milner and Dr. Poynter respectively, it is well to bear in mind that there was at this time a very general movement for the freer circulation of the Scriptures, and that it was not confined to England. Bible Societies were established by Catholics in other countries as well. The Catholic clergy of Hanover formed one in 1814; and similar Societies were founded in Russia and Poland—at least two of these countries, be it observed, being non-Catholic. In more than one case, the matter was brought before the Holy See, and the Society was condemned. The most important of these condemnations concerned the Catholics of Poland. It was dated from St. Mary Major, Rome, on the feasts of SS. Peter and Paul, June 29, 1816, and addressed to the Archbishop of Gnesen, Primate of Poland. In it the Pope says that he has "been truly shocked at this most crafty device, by which the very foundations of religion are undermined," and commends the zeal of the Archbishop, who had endeavoured to suppress the Society. A translation of this brief appeared in the London papers in April, 1817, and was much commented upon, as evidence of Catholic intolerance. The Rev. Peter Gandolphy replied by endeavouring to prove that the whole document was a forgery; and the *Orthodox Journal*, taking up his cue, declared that it was manifestly of London manufacture, adding the remark that "Forgery is the offspring of Protestantism". Dr. Milner, however, on writing to Rome was informed that the document was genuine.

[1] *Orthodox Journal*, October, 1813, p. 181.

The knowledge of this condemnation naturally caused Dr. Poynter and the members of the English Bible Society to reconsider their position. An examination of its wording showed that there was no strict parity with their own society, for the basis of the condemnation was that they were circulating a non-Catholic edition of the Bible, and the Archbishop of Gnesen was called upon to remind his flock "that the Bible printed by heretics is to be numbered among other prohibited books". This stricture was totally inapplicable to the English Bible Society, who had printed a Catholic text with Catholic notes. Nevertheless, prudence had already suggested a revision of the constitution, and even before any pronouncement had been made, we read in a letter from Dr. Poynter to Dr. Collingridge, that "the term Bible Society is to be dropped, and those who have subscribed to be called, if they are mentioned, only 'the subscribers of the stereotype edition of the New Testament'".

The following letter from Lord Clifford to Dr. Poynter is interesting as an Apologia for the Bible Society from one of the most respected and orthodox Catholic laymen. It will be noticed from it that the society under its old form was dissolved nearly a year before the condemnation of the Polish Bible Society.[1]

"PORTMAN SQUARE, *August* 7, 1815.

"MY LORD,

"Though I am just quitting town, I cannot refrain from expressing to your Lordship how much I was gratified by the conversation I had with your Lordship on Friday last; but as your Lordship informed me that you still thought some explanation necessary to be sent to Rome respecting the formation of the Catholic Bible Society in England, it having been much misrepresented there, I am desirous of recalling to your Lordship's recollection the motives which induced me and the Gentlemen who promoted it to think that we were rendering essential service to the Catholic Religion and the Catholic cause in this country.

"It is notorious that a violent prejudice was opened against the Catholics here, both in and out of Parliament, from the

[1] *Westminster Archives.*

idea that our clergy kept our people in ignorance by forbidding them the use of the Holy Scriptures. In vain we denied the assertion, for they objected the high price of the editions to be had of the Catholic booksellers as a virtual forbiddance, and they offered to publish a cheap edition themselves, and distribute it almost gratis to the poor Catholics throughout the kingdom. Your Lordship is well acquainted with the controversy that took place on the occasion, and the calumnies then heaped upon us. Protestant Bible Societies were formed in every town and almost in every village in England. The Catholics were pressed to join them, and when they refused, were exposed to every insult as enemies to the word of God and wishing to suppress it. Lord Grey assured me that our cause suffered greatly from the prejudice of our being forbidden to read the Scriptures, and thought nothing would tend more effectually to remove it than our publishing a cheap edition of the New Testament. Mr. Wilberforce was of the same opinion, and triumphantly refuted our calumniators in the House of Commons, when he understood we were engaged in publishing the Bible ourselves. But what chiefly induced me to give the name of Bible Society to the subscribers was the information I had received that many of the Catholics had been induced to subscribe to the Protestant Bible Societies, and even held ostensible situations in them. I myself was applied to by Lord R. Seymour, Chairman of the B. S. Committee in the West-end of the Town, to be one of the Vice-Presidents. I thought a satisfactory answer at once might offer itself by saying we were engaged in a Society of our own for supplying a cheap edition of the New Testament for such of the poorer Catholics who might stand in need of it, and as the subscribers were resolved only to publish such version as was approved by our Bishops, and to distribute them under their direction, I conceived that a proceeding of that nature could not in any manner be understood as claiming a right on the part of the laity to distribute the Bible indiscriminately to all sorts of persons and as we judged proper. I utterly disclaim any such right or intention.

"It was proposed at my house in 1813 that a meeting of the subscribers should be held in May, 1814, to consider of the form, type, etc., of the edition to be printed, and carried, I be-

lieve, unanimously; the same gentleman argued on the propriety of commencing immediately. I had scarcely left town when I received a letter to inform me that after a meeting of the Board some gentlemen present resolved to print the New Testament without further delay, and it is printed accordingly. I then wrote to your Lordship to protest against it until a meeting of the subscribers should have been held.

"This I believe is an exact summary of what took place respecting this Society, which seems to have been so grossly misrepresented at Rome. As the case now stands, few of the subscribers have paid their money, an elegant and cheap edition of the New Testament is published, and I hope the subscribers will be induced to place all the copies and the plates at your Lordship's disposal: thus all cause of complaint will be removed; the Vicars Apostolic will be able to supply their missioners with excellent editions of the New Testament; they may sell them cheap to such of their flock as they judge capable of deriving fruit from their perusal; and the money arising from the sales may be employed in purchasing such other books of Piety as may be wanted.

"To take up no more of your Lordship's time, I do not look upon myself as any longer a member of any Bible Society: my object is fulfilled as far as having contributed to produce a correct edition of the New Testament, and as the name gives offence and subjects your Lordship to uneasiness from misrepresentation, I hope the subscribers will be satisfied with the good they have already done and hold themselves dissolved.

"I remain with great esteem,

"Your Lordship's most obedient humble servant,

"CLIFFORD."

A serious misfortune befell the work, by the death of Mr. Robert Clifford, brother to Lord Clifford, on February 18, 1817. He had not only been the moving spirit in the whole enterprise, but he had paid the greater part of the expenses, which amounted to between £200 and £300. The work however was continued. In 1818 a new edition of the Testament appeared, edited by Rev. Richard Horrabin, one of the chaplains at Virginia Street, in collaboration with Mr. Marlow Sidney, a Northumbrian, who had been received into the

Church nearly half a century earlier by Bishop Challoner.[1] He was at that time the treasurer of the so-called St. Giles Catholic schools, which was enough in itself to cause many to look at him askance; accordingly we find Milner once more to the fore. He wrote under the signature of "A Pastor of the Middle District" in the *Orthodox Journal* of January, 1819. Speaking first of the original stereotype edition, he says:—

"[The] boasted stereotype Testament at the same time that it betrayed the Catholic truth in its mutilated notes, and in its fraudulent adoption of Dr. Green's and Dr. Walton's approbation of Bishop Challoner's faithful notes, was proved to abound with the most numerous and gross errors; hardly a copy of it could be sold; and in the end, the plates for continuing it have been of late presented by an illustrious personage, into whose hands they fell, to one of our prelates, who will undoubtedly employ the cartload of them for a good purpose as they were intended to be, by disposing of them to some pewterer, who will convert them into numerous useful culinary implements, gas-light pipes and other pipes."

Coming now to the new edition, Milner proceeds:—

"Whilst I was rejoicing, in common with other consistent Catholics at the fortunate exit of the stereotype Testament, being resolved not to recall even the memory of it, I was alarmed with a notice contained in a late printed report of the Education Committee which announced that a Catholic Testament with Dr. Poynter's notes was printed and upon sale at the East-end of the town in sixpenny numbers. . . . This revival of a work avowedly made to disguise the true religion and to favour a false one, connected also as it evidently is with the modern plan of educating Catholic children in Methodist schools, is the cause, Sir, of my sending the present letter to be published by you, in hopes that it may draw the attention of the Catholic prelates and clergy of the United Kingdom to a business of such vital importance as this is to the safety of the true religion and the salvation of souls."

The statement that the stereotype plates were sold to the pewterers was repeated by Milner in his *Supplementary Memoirs*.[2] This was not, however, the case, as they were used

[1] *Life of Challoner*, i., p. 138. [2] P. 244.

in more than one subsequent edition of the New Testament. In like manner his statement that the Bible Society had been condemned by the Pope—which also he repeats in his *Supplementary Memoirs*—was, at least as it stood, inaccurate. Eventually indeed Dr. Poynter had the satisfaction of obtaining from Rome a definite approval of his exertions to popularise the text of the Scripture. A brief was addressed to the Vicars Apostolic of England and Scotland, dated April 18, 1820, in which the Pope exhorts them to devote their zeal to seeing that the faithful under their charge "should abstain from reading the bad books by which in these most calamitous times our holy religion is assailed on all sides; and that by reading pious books, and especially the Holy Scriptures in editions approved by the Church, while you go before them in word and example, they may be strengthened in faith and in good works".[1]

In Ireland the Catholics went through a similar phase, though it was perhaps less marked, and rather later in date. The Bible known as Dr. Troy's was issued in 1791, and reprinted several times. But it was not twenty years later that the growing demand for a suitable edition of the Bible induced the Irish Bishops to attempt to supply the need. The work was undertaken by a bookseller in Cork called MacNamara, who issued a prospectus with the recommendations of nine Bishops and three hundred priests. The work came out in fortnightly parts, and like the similar venture in England it was not to be put on sale, but to be distributed by responsible "subscribers". In 1813, MacNamara moved to Dublin. The following year he became bankrupt. The work was taken up by Coyne, the well-known publishing firm, and was safely brought to a conclusion in 1816.

The feature of this edition was the re-appearance of all the old Rheims notes in place of those of Bishop Challoner. These notes are very harsh in tone, having been written in times of acute religious controversy. Hardly a page occurs without some disparaging remarks of "the heretics," as they are throughout called, who are continually accused of wilfully misinterpreting and corrupting the text. The notes for the most part consist in asserting the position of the Church against

[1] *Westminster Archives.*

the Protestantism of that day, one of the chief points insisted upon being the right to preserve her from corruption by the use of force, and in that sense the persecution of heretics is defended. The existence of a visible Church, and the primacy of St. Peter, are also prominently maintained, as well as the dogma of Transubstantiation, the need of fasting and other penitential works, as against "Calvin's blasphemy"; and of course the dignity and sanctity of the Blessed Virgin. The following statements are taken almost at random, and are typical of many other :—

"Heretics seduce under fair titles"; "Heretics and other malefactors sometimes suffer willingly and stoutly, but they are not called blessed, because they suffer not for justice"; "Arch-heretics are false Christs and false Prophets"; "Calvinism tends to the Abomination of Desolation".

It is not much to be wondered at that the revival of these notes gave great offence. An article appeared in the *British Critic*, in which it was contended that the Rheims notes sanctioned the persecution of heretics and other objectionable doctrines often popularly imputed to Catholics. Dr. Troy became alarmed, and withdrew his approbation, which he said he had only given on the understanding that the text and notes were to agree with the edition of 1791, known under his own name.

O'Connell's reply to the *British Critic* was a speech delivered on December 4, 1817, in which he fell into some extraordinary errors. He was apparently under the impression that the Bible of Dr. Challoner was the same as the original Douay Bible, both as to text and notes, and that the Rheims Testament was distinct from either. He boldly disclaimed the notes *en masse*, which he stigmatised in harsh terms. The following is the report of his speech given by his son :—[1]

"These notes were of English growth; they were written in agitated times when the title of Elizabeth was questioned on the ground of legitimacy. Party spirit was then extremely violent. Politics mixed with religion, and of course disgraced it. Queen Mary of Scotland had active partisans who thought it would forward their purposes to translate the Bible and add to it these obnoxious notes. But very shortly after the establishment of the College at Douay, this Rhemish edition was

[1] Speeches, ii. p. 45.

condemned by all the doctors of that institution, who at the same time called for and received the aid of the Scotch and Irish Colleges. The book was thus suppressed, and an edition of the Bible with notes was published at Douay which has been ever since adopted by the Catholic Church; so that they not only condemned and suppressed the Rhemish edition, but they published an edition with notes, to which no objection has been or could be urged. . . .

"The Catholics with one voice should disclaim these very odious, these execrable doctrines. He was convinced that there was not a single Catholic of any description in Ireland that did not feel with him the uttermost abhorrence of such principles. . . . He was a Catholic upon principle; a steadfast and sincere Catholic, from the conviction that it was the best form of religion; but he would not remain a Catholic one hour longer if he thought it essential to the profession of the Catholic faith to believe that it was lawful to murder Protestants, or that faith might be innocently broken with heretics;—yet such were the doctrines to be deduced from the notes to this Rhemish Testament."

Milner answered in the succeeding number of the *Orthodox Journal*, pointing out that at the time when the Douay Bible was published, neither the Scotch nor the Irish Colleges at Douay existed; and that the Rheims Testament formed part of the Douay Bible, but that it was published earlier than the Old Testament, and at that time the College had been temporarily removed to Rheims.

After Dr. Troy had withdrawn his approbation from Coyne's edition the sale practically ceased, and his action became the subject of a suit at law, though it was finally settled out of court. Shortly afterwards, he gave his approbation to an edition of the Bible which went to the other extreme, containing no notes whatever. It was issued by a new society called the Roman Catholic Testament Society, which had been formed in Dublin in December, 1819. Notwithstanding its name, the majority of the members were Protestants. Their New Testament appeared in 1820. The Approbation of Dr. Troy was dated February 9 of that year, and the Brief of the Pope to the British Vicars Apostolic—the date of which was April 18, 1820—was also printed. Soon, however, the matter became

the subject of discussion, and Dr. Troy once more withdrew his approbation. A supplement was therefore printed, containing the usual notes. Four years after this, Dr. Troy being then dead, Dr. Murray, who succeeded him, gave his approbation to the issue of a Bible which has become one of the standard ones in Ireland and also in England ever since.

CHAPTER XXVIII.

CASE OF THE REV. PETER GANDOLPHY.

THE Rev. Peter Gandolphy came from a well-known family, of Italian origin, then living at East Sheen in Surrey. His elder brother became connected by marriage with the Hornyolds of Blackmore Park, in Worcestershire, one of the best known among the old Catholic families. To this estate the nephew of the priest eventually succeeded, taking in consequence the name of Hornyold; and at the present day the head of the family bears the double name.

The two brothers were sent for their education to the Academy of the ex-Jesuits at Liège, and they were both afterwards at Stonyhurst. It would seem that Peter Gandolphy attached himself to the ex-Jesuits, who were then hoping for a restoration of the Society, for we find him teaching at Stonyhurst in a position analogous to that of a "scholastic". Apparently, however, he changed his mind, and leaving Stonyhurst in 1804, he was ordained by Bishop Douglass, and appointed to the mission of Newport, in the Isle of Wight. Two years later, he accepted a post as junior chaplain at the Spanish Embassy, where we find him at the time with which we are now concerned. He was a man with all the intensity of feeling and ardent temperament characteristic of his nationality, combined with a strong and vivid imagination. He was by no means deficient in ability, though this took the form of a readiness and command of language rather than of deep thought. He had the disadvantage of being of low stature and unprepossessing appearance; but made up for it to some extent by the brightness of his manner, and he soon became a popular preacher and a noted controversialist. Nor did he at all minimise his own gifts, or his position. Thus, for example, in stating his case to Cardinal Litta, he said, "I request your

Eminence to observe that I am a very public character in London, with an independent fortune, and am personally known to the first people of this country among the Catholics, and to numbers among the Protestants".

His abilities were, however, marred by an obstinacy of character and a confidence in his own opinions which led him into continual trouble. He was an extreme party man, and devoted to Bishop Milner. As a consequence, he continually disapproved of the action of his own bishop, Dr. Poynter; and although genuinely anxious not to infringe on the obedience and respect due to a superior, he often found great difficulty in accepting his ruling. Eventually he was drawn into a dispute with his bishop, which from his unyielding temperament and determination of character, was prolonged over several years, and in the end it not only cut short his own missionary career, but produced public results of considerable importance. We shall have therefore to follow out his personal history, both as a missionary and as a writer.

The first work which Gandolphy published consisted of five sermons, the volume being entitled *A Defence of the Ancient Faith.* It appeared in 1810, and was followed by a second volume the next year. Neither attracted any particular attention. His writings against the Rev. Herbert Marsh, on the reading of the Scriptures, have already been alluded to. But it was in the summer of 1812, shortly after the death of Bishop Douglass, that he brought out the book which was to prove the source of all his troubles. Its full title was, *Liturgy, or a Book of Common Prayer and Administration of the Sacraments, with other Rites and Ceremonies of the Church. For the use of all Christians in the United Kingdom of Great Britain and Ireland.* The scope and object of the book can be explained from the opening words of the Introduction:—

"The object which the writer proposes to himself in the publication of this little work is to bring the landmarks of ancient faith more into public view by exhibiting Religion to his Protestant countrymen as it is professed and practised in the Catholic Church. His determination was taken in consequence of many virtuous and respectable Protestants having frequently expressed to him their regret that at the turbulent period of the Reformation no angel of peace could be found

to calm the furious tempest of human passions:—that in the violent contention of parties, the religious unity should have been destroyed, under which they admitted this nation as one family had lived prosperous and happy for many centuries—strangers to those jealousies and divisions which now distract our society."

This statement explains at once the close analogy of the title which Mr. Gandolphy adopted with that of *The Book of Common Prayer and Administration of the Sacraments and other Rites and Ceremonies of the Church, According to the Use of the Church of England.* It also explains other characteristics of the book, which we shall have to comment on presently, in which it would seem that the author purposely assimilated his language to that in use among Protestants. Nevertheless, it does not appear to have attracted any particular attention, or any adverse comment at first. It had a good sale; the first edition was quickly sold out, and within a year a second edition was called for.

It was at this point that Mr. Gandolphy's difficulties began. Thinking that the sale of his book would be increased if he could obtain a full episcopal approbation, and learning that there was to be a meeting of vicars apostolic (except Milner) in the month of October, 1813, he sent a petition to his bishop, Dr. Poynter, asking him to obtain permission to dedicate his book to them. This was in those days the best means of obtaining an episcopal approbation, as there was no system in force then, as there is now, for giving an "Imprimatur".

When the book was brought under the notice of the vicars apostolic, however, they took serious exception to it. In view of what follows it will be well to explain their objections, which can be gathered from their numerous letters and statements. In the first place the title naturally attracted their attention. They observed that it was characteristic of the book, and that a Protestant terminology was adhered to apparently of set purpose. Thus the Mass was spoken of as "the sacrament of the Lord's Supper"; sometimes (but not always) with the additions of the words "commonly called the mass" in smaller print. In all explanations the word "Transubstantiation"—which was then perhaps even more than now a test word between Catholics and Protestants—was

avoided throughout. The author spoke freely of the "Communion plate," and the "Communion Table," and he seemed carefully to avoid any reference to the Eucharist as a sacrifice. Another reason why Dr. Poynter felt an objection to the book was that it was written with a tone of authority, giving directions as to the administration of sacraments, many of which were original. The author even gave a suggested form of exhortation to those receiving Extreme Unction, in the same manner as is now done officially in the English Ritual, or *Ordo Administrandi Sacramenta.* In doing this, it was maintained that he had gone outside his province as a simple priest.

In addition to these faults, there were also some downright theological errors; these we shall have to speak of presently. Here it is only necessary to note clearly that the errors were not the only, or even the chief, ground of objection to the book. "On his Liturgy," Dr. Poynter wrote,[1] "I have always distinctly grounded my objections to it from the nature, the title and the form of the book as a liturgy. If I sometimes objected to, or made observations on the errors in it, I always declared that this was *ex abundantia.*" And again, in writing to Rev. P. Macpherson he said,[2] "You must notice that all the Vicars Apostolic of England and Scotland had declared their disapprobation of Mr. Gandolphy's Liturgy independently of the errors in it. Mr. Gandolphy, to evade this and to succeed against them, always tried to reduce the question to the examination *of the errors.* This I always refused, and repeated to him that whether the errors were corrected or not, we would not let him publish it." This determination was confirmed by the other Bishops.

On learning of the decision of the bishops, Mr. Gandolphy was much hurt in mind, and determined to have recourse to the one who he felt sure would approve of his work. This was Dr. Milner, who continually acted as his friend and patron. This comes on us as a surprise. We should antecedently have expected to find Milner louder than any one in condemnation of the assimilation to Protestant terms and other characteristics of the book, and it shows the strength of party feeling at this time that he should help a priest in Gandolphy's attitude of mind. However, he pronounced the work "orthodox," and

[1] Archives of English College, Rome. [2] *Ibid.*

"valuable," and while admitting some "looseness of expression," contended that the author's meaning was in every case easy to understand. He was willing that the book should circulate in his district. Gandolphy accordingly went to a Birmingham printer—Belcher, of High Street—who printed the second edition, which appeared in 1815, about the time of the return of Dr. Milner and Dr. Poynter from Rome. The second edition was a considerably larger book, and contained a good many corrections and additions. The most important change was in the title, which by Milner's advice, was altered to *An Exposition of Liturgy*, etc.

This action of Gandolphy's was of course equivalent to a declaration of war against his own bishop, and the only course left for Dr. Poynter—who knew well the limitations of his jurisdiction—was to prohibit the circulation of the second edition in the London District. At the same time, he also forbade the sale of the third and fourth volume of Mr. Gandolphy's sermons, which had just appeared, and in which he discovered some theological errors. The author submitted for the time, and stopped the sale of his books; but he decided to appeal to Rome in person, setting out thither in December, 1815. Dr. Poynter made no objection to this course, and even supplied him with what was then called an "Exeat"—now commonly described as a "Celebret,"—to enable him to say Mass during his travels.

Mr. Gandolphy travelled by way of France, and Mont Cenis. On arriving at Milan in the last days of December, he had the good fortune to learn that Cardinal Litta—who as has been stated belonged to a Milanese family—was in the city, as the Pope's Legate, on an embassy to the Empress of Austria. He accordingly waited on the Cardinal, showed him his books, and gave his version of the late events. It is significant of Litta's whole attitude to Dr. Poynter that he accepted Mr. Gandolphy's version of the story without question, and assumed that Dr. Poynter, even though technically in the right, had treated him harshly. Mr. Gandolphy had offered to add a leaf of corrections of any inaccurate doctrine or expressions, and Litta thought that this was sufficient and the matter could be easily adjusted in this way without any loss of Dr. Poynter's dignity. Gandolphy looked on the matter as settled, and

though he proceeded to Rome (where his brother was staying), he considered his appeal at an end.

On reaching the Eternal City, however, Gandolphy learnt that Dr. Poynter was taking steps to assert his position, and that he had sent a list of errors contained in the volumes of Sermons and the Liturgy to Cardinal Litta. In view of this fact Mr. Gandolphy took the course he had originally intended. When introduced to His Holiness he presented him with a copy of his works, and then proceeded to apply to the Master of the Sacred Palace[1] for a formal *Imprimatur*. This he succeeded in obtaining. The two censors appointed were Father Damiani, Penitentiary of St. Peter's, who spoke English fluently, and Father O'Finan, the superior of the Irish Dominicans at S. Clemente. They called for a certain number of minor corrections, which were inserted on a fly-sheet, and fortified by the Roman *Imprimatur*, Gandolphy wrote to his publishers authorising them to resume the sale of his books. For the moment his triumph was complete. The *Orthodox Journal* published the report of the Roman censors—which was very laudatory—and congratulated the author on having secured for his books "an approbation which no other English work can boast of"; adding that "Their Catholicity has been forced to pass a most rigid ordeal, and has been declared to be of genuine and sterling worth, deserving 'to be cased in Cedar and Gold'".[2] Mr. Gandolphy himself, on his return to London, declared that his books now had "the full approbation of the Apostolic See".

Dr. Poynter, however, did not give way. He contended that the *Imprimatur* of the Master of the Sacred Palace only authorised the publication of a book in Rome itself, and at any rate that it did not overrule his prohibition in his own district. This view was afterwards confirmed by Cardinal Fontana, Prefect of the Congregation of the Index.[3] Dr. Poynter had received no formal notification of the *Imprimatur* and Litta said that it had been obtained without his own

[1] The Master of the Sacred Palace, always a member of the Dominican Order, is the Pope's domestic theologian, on whom it devolves to examine books submitted before publication, and to pronounce an official judgment on them.

[2] *Orthodox Journal*, August, 1816, p. 316.

[3] See letter from Rev. R. Gradwell dated December 17, 1818, in the *Westminster Archives*.

knowledge, or without his even being informed. Dr. Poynter therefore once more called upon Mr. Gandolphy to withdraw his books from circulation until Propaganda—to whom he had applied—should pronounce judgment on them. As he failed to comply with this requisition, Dr. Poynter suspended him on September 19, 1816. He replied by issuing a printed *Address to the Public*, dated October 5, in which he accused the leading priests in London of being in conspiracy against him, and said that everything possible had been done to procure the condemnation of his works in Rome, but without success. "Fortunately for the author," he wrote, "his character carried him through every difficulty at Rome, and he returned with the approbation of his works by the proper Authority, that Authority without whose Approbation the Pope himself cannot publish."

Mr. Gandolphy next appealed to Cardinal Litta, and was able to bring strong influences to bear, both Dr. Milner and Dr. Troy writing on his behalf. Litta again accepted his version of the whole story, which was that Dr. Poynter had suspended him in consequence of alleged errors in his books, but had never pointed out any specific errors, which he would have been most willing to correct. Without waiting for Dr. Poynter's report, which was in fact on its way, Cardinal Litta wrote him a sharp reprimand in a letter dated November 25, 1816, a copy of which he sent to Mr. Gandolphy. The following is a translation :—[1]

"I cannot approve of your having proceeded to canonical punishments against the author, in the absence of any contumacy on his part, before allowing an opportunity for correction or for obtaining the judgment of the Holy See. I foresee many possible resulting evils. For since these works have been published a long time, and have even been approved by one Prelate; moreover an authorisation to print them at Rome, accompanied by some corrections, has been given, based on the opinions of theologians, without my knowledge indeed, by the Master of the Sacred Apostolical Palace, you now see that your punishment may appear irregular and premature, and give occasion not only to Catholics, but also to heretics, for obloquy and derision. Wherefore it has seemed good to the

[1] The original is among the *Westminster Archives*.

Sacred Congregation that your Lordship should summon the author and admonish him of his errors and other things which he has done; and whenever he shows himself ready to correct his works and to practise due obedience, you should rehabilitate him in his priestly ministry and restore his faculties."

In reply to this letter, Dr Poynter wrote with unaccustomed warmth, once more explaining the case, and expounding that he had suspended Gandolphy not on account of the errors contained in his books, but for his persistent disobedience in continuing the sale of them before the decision of Propaganda had been made known. He reproached the cardinal for bringing on his unmerited suffering, concluding with saying: "The mitre which I wear is become to me a crown of thorns; and if I have to bear the cross which is laid upon my shoulders until death, by the help of God's grace I will call out with the Apostle, 'God forbid that I should glory but in the cross of our Lord Jesus Christ'". Together with this letter he sent a copy of Mr. Gandolphy's *Address to the Public.*

Cardinal Litta now saw that Gandolphy had put himself in the wrong, though he still thought his punishment excessive. He called on him to apologise to Bishop Poynter for his insubordination and to express his willingness to make the requisite corrections in his works as soon as any errors were definitely pointed out. In the meantime he was to refrain from circulating his books. On these conditions he directed Dr. Poynter to restore him his faculties.

The question was, however, not yet settled. Some considerable disagreement took place with respect to the nature of the apology required, and as Mr. Gandolphy failed to satisfy Bishop Poynter, the latter issued a pastoral, in which he gave his account of what had happened and denounced Mr. Gandolphy as a refractory priest. In the end Cardinal Litta himself drew out a formula for Gandolphy to sign. At first he was unwilling to sign it, considering that it contained a misrepresentation of what had happened, and he appealed to Bishop Milner for advice. The latter replied that he might leave the question of the accuracy of the statement to the Roman authorities who had written it, and might conscientiously sign it, which accordingly he did; and he received back

his faculties on July 12, 1817. The form which he signed included the following pledge:—

"I promise that I will in future show him [Dr. Poynter] all obedience and subjection, that I will readily and faithfully correct any mistakes or errors which shall be pointed out in the same works by the Holy See or by my own Prelate. In the meantime as far as it depends on me, I will entirely refrain from promoting the circulation of the same works, as long as they shall not have been lawfully corrected."

Dr. Poynter was far from satisfied with the course which affairs had taken, the more especially when Gandolphy pointed to the fact of his having been restored to faculties without having made any kind of retractation as proof that the orthodoxy of his books had been confirmed. Moreover, notwithstanding the pledge given, the books continued to be exhibited publicly as on sale. Throughout the dispute, it had been evident that Litta was acting as far as possible on the side of Gandolphy, so that Dr. Poynter had to make a vigorous protest in order to avoid losing all his authority. While loyally accepting the compromise imposed upon him, he protested against the general treatment which he received at all times from Cardinal Litta. He felt so strongly on the matter that he threatened to resign, and appealed to the other bishops to support him. They at once responded to the call. An appeal to the Pope was drawn out and signed by all the bishops of England and Scotland (except of course Milner) and forwarded to Cardinal Consalvi by Dr. Poynter on June 29, 1817. A similar appeal was sent a few days later on behalf of the London clergy, who one and all sided with their bishop on the matter.[1]

The laity also rose to the occasion. A very curious document was drawn out by the Catholic Board, in which they recited a current rumour that Gandolphy was on the point of succeeding in obtaining the removal of Dr. Poynter and the appointment of Dr. Milner in his place. They took the opportunity therefore of testifying their respect and attachment to their bishop, and expressed a respectful hope that no such determination would be come to.[2]

[1] Both these Appeals will be found in Appendix H.

[2] See *Orthodox Journal*, October, 1817, p. 403.

Milner took great exception to their action, and wrote to the *Orthodox Journal*, under the signature of "A Catholic," accusing them of meddling in spiritual matters. Mr. Macpherson objected to the petition for another reason, which was that the rumour was wholly without foundation, and that such a possibility ought not to be even named. In point of fact, Dr. Poynter's position in Rome was steadily improving. His friendship with Cardinal Consalvi was very much in his favour, and even Cardinal Litta—who was the only one of the Roman authorities still prejudiced against him—had learnt that some of the ideas he had were unfounded.

The petition of the Catholic Board like those of the bishops and clergy, was sent through Cardinal Consalvi, to whom Lord Castlereagh undertook to forward it. This method was much criticised at the time; but as all three documents were practically appeals against Cardinal Litta, another channel was naturally chosen through which to send them. The Pope returned the laymen a kind answer, assuring them that there was no idea of removing Dr. Poynter, and expressing his satisfaction at the reverence and respect which they had shown towards their bishop.[1]

In response to the appeal of the bishops, the Pope at once ordered the books to be carefully examined by the Congregation of the Index, and sent a request to Dr. Poynter that he would send to the same Congregation a list of the errors which he judged the books to contain. On fulfilling this command, Dr. Poynter considered that the matter had passed out of his hands and nothing remained but to await the decision of the Holy See.

A copy of the criticisms sent by Dr. Poynter to Cardinal Litta to be placed before the Congregation of the Index, is among the *Westminster Archives*. It is dated September 8, 1817, the day on which he sent it. Mr. Gandolphy had previously obtained a copy of the similar list sent by Dr. Poynter the previous year, and had published it, together with his own answers, in the *Orthodox Journal*. This was of course a most unwarrantable proceeding, for the document was a private one, and although Litta had shown it to him, he had expressly forbidden him to make a copy. How he eventually obtained

[1] See *Orthodox Journal*, January, 1818, p. 29.

it does not transpire. From these two lists which, though bearing a general resemblance to one another, are by no means identical, we can get a fairly comprehensive idea of Dr. Poynter's objections to the books.

The bishop was of course practically pledged to show as many errors as he could: this is perhaps the explanation of the somewhat captious nature of some of his criticisms. For example, it may be strictly speaking inaccurate to say of unbaptised infants that "they may possibly be destined to enjoy a state of beatitude, though it be certain that they will never be allowed to enter into the glorious presence of God". The word "beatitude" has been appropriated by theologians for the beatific vision of Heaven, and thus this passage is technically erroneous, for unbaptised infants can never go to Heaven; but nevertheless the meaning is clear, and the fact that the word "beatitude" is only meant to imply a state of natural happiness. If this description were used to-day, it is doubtful whether any exception would be taken to it. So also, Dr. Poynter's assertion as to the accuracy required by the Church that in translating a creed or symbol of faith that "the varying of one only alphabetical letter, although it occasion no difference of meaning, is censurable," seems somewhat hypercritical.

Nevertheless, he does point out many passages of an un-Catholic tendency, as well as some containing actual errors. As an example of the former class we may take the following:—

"I must caution the more ignorant of my brethren against those silly and ridiculous demonstrations of religion to which they appear so partial, and which are the sure marks of gross delusion; I mean a variety of gestures at prayer; beating their breasts, frequent repetitions of the sign of the cross, etc."

Dr. Poynter's remark on this is, "The Protestants express themselves exactly in the same manner".

As an example of the real errors contained in the books, we may mention Mr. Gandolphy's statement that before the Fall, Adam had not been destined to Heaven. The following is the context:—

"But you say, the question is how far this original sin can justly operate in excluding the whole human race from the Kingdom of God's glory? And who has informed you, my

friends, that it ever did? Who that man was originally destined to enjoy that state of beatitude? Have you had a special revelation? No! it is Jesus Christ then only that has purchased for us that inheritance."

The explanation of the Blessed Trinity as "three Persons proceeding from each other by an eternal progression" is confused; and the statement concerning the mass that "the thing offered is hypostatically united with the Divinity" shows ignorance of the meaning of words. Dr. Poynter corrects him by saying that "the thing offered, that is the body and blood of Jesus Christ, is hypostatically united to the second person of the Blessed Trinity".

The tendency to error about the Blessed Sacrament is specially noticeable. In one place he tells us that "the body and blood of Christ are received and eaten in the Lord's Supper only spiritually"; and on one occasion he actually says, "I do believe that in the Sacrament of the Lord's Supper there is not any transubstantiation of the elements of the bread and wine into the body and blood of Christ, at or after the consecration thereof, by any person whatsoever"—an error which is probably due to his want of apprehension of the meaning of words; for he often uses the word "elements" where the proper theological word would be "accidents". There can be no doubt that he himself believed, as every Catholic does, in the real presence of our Lord in the Blessed Sacrament.

These instances might be multiplied; but enough have been given to show their general character; and although we may assent to Milner's statement that many of them are due to inaccuracies of expression, and that the author's meaning is usually clear, they are nevertheless numerous enough and serious enough to enable us to understand Dr. Poynter's objection to the doctrine contained in the books, and to render it certain that if they were ever properly examined by a theologian, they would be condemned.

Mr. Gandolphy was not inactive in putting in his defence, and in this he was assisted by Fathers Damiani and O'Finan, who realised that their own reputations were at stake. Dr. Milner was also active in his regard. He wrote Gandolphy a long letter, which was translated into Italian and placed before

the Congregation. The letter consisted chiefly of a long attack on Bishop Poynter, similar in nature to those he had been accustomed to make in previous years. "I am sorry," he began,[1] "that your unmerited sufferings are not at an end, but that attempts should even now be made to disgrace you and your published sermons at the Holy See, thereby to prevent the course of those good effects in the cause of our holy Religion which for a series of years marked their progress. I have heretofore signified my full conviction that it is not any zeal for pure doctrine which has drawn upon you this persecution but your warm advocacy of the three convents of poor nuns in the London District (the fourth, like all the rest in England, remaining unmolested) who were peremptorily ordered by the Grand Vicar of that District to take off their habits and veils, contrary to every principle of English liberty, and the discipline of the Church which solemnly blessed those habits and veils and invested these religious with them."

In order to prove his contention, Milner argued that (1) Dr. Poynter had at the time been angry with Mr. Gandolphy for his action in defence of the nuns; (2) that "it is notorious how passive and indifferent these gentlemen have been in every other case where the doctrine, discipline and unity of the Church have been attacked in the London District". He instanced the publication of Archer's Sermons, which he considered unsound, and the reprint by Berington and Kirk of a work under the title of *The Faith of Catholics*—though this work was in fact published not in London, but in Birmingham—(3) that Dr. Poynter had become a patron of the Bible Society, which had issued a New Testament with some of Challoner's notes omitted; and (4) his old accusation that Dr. Poynter had long protected the Blanchardists in London.

He then gave testimony of his own opinion that Gandolphy's works contained "no practical errors," and "no speculative errors from which there is the least danger to unlearned readers"; and that the criticisms of his opponents were "evidently groundless, unjust and calumnious".

In conclusion Milner threatened that if Gandolphy's works were condemned, he would look on it as an invitation to de-

[1] Gradwell Letters (*Westminster Archives*). The whole letter will be found in Appendix H.

nounce other works such as *Archer's Sermons*, or the *Faith of Catholics* edited by Kirk and Berington, and adopted by Charles Butler, against whom he as usual spoke severely.

The books together with all necessary documents were sent to the Congregation of the Index in January, 1818. Three months later, Mr. Gandolphy issued his *Expositio Apologetica*, in which he protested against their being referred to that tribunal, to which ordinarily only the works of those who were suspects as to the faith were sent, whereas he had voluntarily submitted his works to the proper authority in Rome for giving an *Imprimatur*. He proceeded to a defence of himself, running to three large closely printed pages, all in Latin.

The decision of the Sacred Congregation of the Index was given on July 27, 1818, and was a complete vindication of Dr. Poynter. Both books were condemned, and the author was commanded to withdraw them from circulation; and when the question was afterwards asked which editions or which copies were condemned—for as we have seen various corrections had been made at different times by insets or fly-sheets—the answer was clear and categorical, that every edition and every copy was included. There was also a separate condemnation of a letter written by Mr. Gandolphy under date November 13, 1816, in which he had stated that his works had received the full approbation of the Apostolic See. The Censors of the Master of the Sacred Palace were reprimanded for passing the books, and they eventually admitted that they had never properly read them, having trusted to Mr. Gandolphy's character and reputation as a writer. Damiani, who was considered chiefly responsible, received sentence of banishment from Rome.

The Congregation did not, however, immediately proceed to extreme measures. In view of the profession of submission which Mr. Gandolphy had ever made, the execution of the decree was so far modified that it was not to be published for four months, in order to give him time to make a proper submission, which could be issued at the same time as the condemnation, so that his character might not suffer. The decision having been confirmed by the Pope, was communicated to Mr. Gandolphy on December 18, 1818. The four months' grace therefore expired on April 18, 1819; and Mr. Gandolphy having made no sign, Dr. Poynter reported the case to Cardinal

Litta once more on that date. Three months later, in answer to a letter in a French Catholic periodical, *L'Ami de la Religion et du Roi*, Mr. Gandolphy published a long account of his case in a pamphlet to which he gave the curious title of *Vetoism Illustrated*. He gives a short explanation of the meaning of the title, which itself is not easy to understand. Apparently he wished to range himself publicly on the side of the extreme anti-vetoists, and to declaim against the harsh treatment which he considered he had received from Cardinal Litta and Dr. Poynter as the legitimate consequence of their alleged vetoistical tendencies.

Rome moves proverbially slowly, and in this case there was greater delay than usual, for Mr. Gandolphy had friends there who spoke on his behalf, while he also wrote letters full of expressions of submission and other edifying sentiments. Time passed away, however, and still no steps were taken to stop the circulation of his works, and Dr. Poynter made representations to Rome, that the scandal was still continuing. At length, on November 19, 1819, Cardinal Litta wrote requesting him to inflict censures on the delinquent priest. On January 31, 1820, therefore, Dr. Poynter called upon Mr. Gandolphy to withdraw his works from sale within nine days, under pain of suspension in the event of his non-compliance. In reply to this notice, Mr. Gandolphy made a complete act of submission, which he printed and circulated, included in the following words:—

"In obedience to the order of the Right Rev. Dr. Poynter, the Rev. Peter Gandolphy declares that his two works entitled *A Defence of the Ancient Faith* and *An Exposition of Liturgy*, have not the approbation of the Master of the Sacred Palace, or of any other constituted authority in Rome. The Rev. Peter Gandolphy therefore *revokes* and *retracts* whatever declaration he has made to the contrary. . . .

"PETER GANDOLPHY.

"LONDON, *February 8th*, 1820."

With respect to the requisition that he should withdraw his works from sale, however, he sent the unexpected answer that he had sold the copyright some years since, so that he had now no control over the circulation: the only right he

had reserved was that of correcting any errors which the Holy See might point out. Under the circumstances of the case, and considering that the books must have been already under examination at Rome before Mr. Gandolphy had sold the copyright, Dr. Poynter could not but regard this act as a fresh exhibition of obstinate contumacy. He therefore replied that Mr. Gandolphy would not be suspended, but that his missionary faculties would be withdrawn until he made satisfaction for his conduct. Mr. Gandolphy accordingly left the Spanish Chapel and retired to live with his relations. It is due to him to add that although he never made any attempt to restrict the circulation of his books—which indeed he could only have done by buying the copyright back again—he made an ample submission to the Holy See on all the questions of doctrine which had been raised. A few months afterwards he fell ill, and died on July 9, 1821, at the early age of forty-two. It is said that on learning of his death, Dr. Poynter was moved to tears, at the premature termination of a life so full of promise, under circumstances upon which he could not look back unmoved.

CHAPTER XXIX.

END OF THE BLANCHARDIST SCHISM.

It has been said that when Dr. Poynter became vicar apostolic he saw no reason to alter the general policy with respect to the French clergy which had been adopted by his predecessor. There were still several of the old French bishops surviving and residing in London, and he had confidence in their influence. Writing to Mr. Macpherson on March 7, 1814, he says,[1] "I feel great comfort from my conversations with the French bishops in London. The other day one of them assured me that they had come to the resolution if they should be able to meet his Holiness, to cast themselves before him in acts of entire submission to Pius VII.; that it should be their earnest endeavour to exalt his character and authority to the utmost of their power. In the French Chapel, of their own accord they have made it a custom to say the prayer *pro Papa* in all masses in which the rubrics permit it, and to this all the French priests conform."

A little later, referring to the priests who had approved of Blanchard's book, Dr. Poynter added:—[2]

"The good Bishop of Boulogne repeated to me of these priests, 'They have sinned, grievously sinned, but you have them contrite and confessing their guilt. As far as concerns the Sovereign Pontiff Pius VII., if I could approach him, I would kiss not only his feet, but his very footsteps.'"

Nevertheless, in view of the question raised with regard to the orthodoxy of the Bishop of Uzès, Dr. Poynter did not reappoint him vicar-general over the French clergy. For a time he tried to undertake the office himself; but finding that this was too much for him, he appointed the Bishop of Aire, in whose orthodoxy he had confidence.

[1] Archives of the English College, Rome.
[2] *Ibid.* The original of this is in Latin.

Milner continued to make himself uneasy about the matter. The following reference is given on the authority of Lingard, who heard it from Cardinal Litta[1] when in Rome in 1817:—

"[Milner] wrote about the Roman College. . . . This served to introduce another question. Many priests in England were infected with Blanchardism. Some of them occasionally came into his district, occasionally officiated there, though they held that the Pope was a schismatic. Could he allow them to officiate? And if he could not, could Dr. Poynter?

"Cardinal Litta answered O'Finan[2] by word of mouth, for he refused to write himself, that if Dr. Milner had sufficient reason to suspect a priest coming into his district of Blanchardism, he ought to examine him; and if on examination he proved to hold such opinions, he should forbid him to officiate. As to Dr. Poynter, he (the Cardinal) knew not why Dr. Milner meddled with Dr. Poynter's conduct. He had nothing to do with Dr. Poynter who was answerable to Rome alone. He should take care of his own district, and not interfere with the jurisdiction of the other Bishops."[3]

[1] *Kirk Papers*, iii. (Oscott). The original letter of Milner's does not seem to have been preserved at Propaganda.

[2] Father O'Finan, O.P., the Superior of the Irish Dominicans at S. Clemente, alluded to in the previous chapter.

[3] *Kirk Papers*, iii. (Oscott). Apparently this verbal answer did not satisfy Milner, for he asked the question again, among a number of others, in a letter to the Pope, and received a similar answer in writing: see Archives of Propaganda, *Anglia*, vol. 7, where an Italian translation of Milner's letter is given, together with the answer sent by order of the Pope.

The following is the text of Milner's question:—

Sesto. Come devono regularsi riguardo a quelle persone chiamati Blancardisti in Inghilterra, e Clementini in Francia? Riguardo a quei preti i quali non sottoscriverebbero questa proposizione?

"Sua Santità PP. Pio VII non e eretico, nè scismatico, nè l'autore o fautore dell'eresia, o scisma; ed io tengo la communione di lui, e con qualunque parte della Chiesa (intendendo la Chiesa da lui ristabilita in Francia) con cui egli communica."

Bisogna osservare che quasi tutti i preti Francesi ed anche alcuni vescovi che restano in Londra sono Blancardisti decisi; essi si presentano spesso nel distretto medio. Nel ultimo sinodo generale tenuto dai Vicari Apostolici nel 1810 (dal qual tempo fu l'oratore escluso dal Vicario Apostolico di Londra da tutti i sinodi avendo perciò ricevuto denaro dai Cisalpini) fu unanimemente deciso, che a niun prete fosse permesso di dir messa, ed esercitare le altre facoltà se ricusava di sottoscrivere a quella proposizione, ma nel corso di pochi mesi, il Vicario Apostolico di Londra guadagnato dall'adulazione dei vescovi Francesi, abbandanò tal decisione, e sembra che sia stato seguito dagl'altri Vicar Apostolici, mentre che l'oratore ha inviolabilmente osservata tal decisione. Ha egli fatto bene a

In the meantime, however, a complete change had come over the whole situation after the fall of Napoleon, and the restoration of the Bourbons. It was generally expected that in the re-organisation of the French Church, the abrogation of the Concordat would follow as a matter of course. Such was the wish and the expectation of King Louis XVIII. himself. When the matter came before the Holy See, however, Cardinal Consalvi indicated that it would be undignified for the Pope to undo the arrangements which he had deliberately made in 1801, and that the stability of the episcopate would suffer. Some delay was caused by the return of Napoleon and the "hundred days' war". When the danger had passed away, a small congregation was held, consisting of Cardinals di Pietro, Fontana and Sala, at which some conditions were put forward for a new convention which was to involve the abrogation of the "Organic Articles," which had been appended by Napoleon without the Pope's consent, and in other ways to adapt the Concordat to the new state of things. The King, however, would only accept it with a qualifying reservation to safeguard the liberties of the Gallican Church. Eventually a new Concordat was framed, dated June 11, 1817, with which Rome was less pleased; but after some negotiations the French Ministers withdrew it, and the Concordat of 1801 was confirmed, including the Organic Articles, with the sole reservation "in so far as they are not contrary to the doctrine and laws of the Church". Some new conditions were added, the chief of which was the creation of thirty new episcopal sees, which was formally carried out a few years later. In the meantime the bishops already in possession were confirmed in their sees, and the vacancies were filled up, on the nomination of the King, in August, 1817.

The majority of the exiled French bishops followed the King back to France. There were at that time sixteen bishops

diportarsi cosi? Ovvero ha fatto bene il Vicario Apostolico di Londra con diportarsi diversamente?

The following was the answer:—

Al 6. Purche vi sia un sodo fondamento di crederli infetti di un tal principio, può il vescovo esigerne una dichiarazione, e recusandosi, sospenderli. Non s'ingerisca però negli altri distretti.

The letter and answer are undated; but from their contents they appear to have been written in the latter half of the year 1817.

of the old French Church still living. Those who had returned to Paris with the King gave in their resignations of their former sees on November 15, 1815, on the understanding that these should be kept secret until the time came to complete the re-organisation of the Church. The French bishops in England maintained an attitude of greater reserve; but they too indicated that they would be prepared to make a formal act of resignation when the time should come. There were not more than eight who lived to see the Restoration. The Bishop of Angoulême had died early in the same year. In June, 1815, the Bishop of Perigueux also died. The others all eventually returned to France with the exception of the Bishop of Uzès, who died in London on August 8, 1817, and the Bishop of Blois, Mgr. de Themines, who came to be recognised generally as a schismatic, and was looked upon by the Blanchardists as "the only Catholic Bishop".[1]

It will be seen at once what a complete and curious change came over the whole outlook of the French clergy in London in consequence of these events. The political influences became exactly reversed: those who had put their faith upon the fortunes of the French royal family became necessarily upholders of the Concordat, and most of them returned to France. Those who remained in England—apart, of course, from those who had undertaken regular missionary work—did so presumably because they had no prospects in their own country, and they became exceedingly bitter against their

[1] Those who returned to France were the former Bishops of Aire, Nantes, Vannes, and Digne, and Mgr. de la Tour, Bishop-elect of Moulins. Two of these—the Bishops of Digne and Vannes—persisted in their refusal to resign, as also did the Bishop of Carcasonne, who had not been exiled in England. The Bishop of Nantes resigned his see and died in Paris in 1816. Mgr. de la Tour was nominated Archbishop of Bourges. Of the subsequent history of the Bishop of Aire nothing is known, beyond that he returned to France, and Dr. Poynter met him in Paris in 1816: he was probably too old to undertake the care of a new diocese. Only five of the episcopate of the pre-Revolution French Church occupied sees after the Restoration. These were the former Archbishop of Rheims, Mgr. Talleyrand-Perigord, who became Archbishop of Paris; the former Bishop of La Rochelle, Mgr. de Coucy, who became Archbishop of Rheims; the former Bishop of Albi, Mgr. de Bernis, who became Archbishop of Rouen; the former Bishop of Nancy, Mgr. de la Fare, who became Archbishop of Sens; and the Bishop of Sisteron, Mgr. Bevet, who became Archbishop of Toulouse in 1817, but resigned in 1820, and lived to become the last survivor of the ancient French episcopate, dying in Paris on April 6, 1838. The former Bishop of Alais, Mgr. de Bausset, was created Cardinal in 1817.

brethren who had—as they considered—veered round. Their chief animosity was directed not so much against the Pope, as against the Catholics of their own nation, whom they declared to be schismatics. They refused all communion with them and went to such lengths that they called upon any of their countrymen who came to England to repeat their recent Confessions, declaring that the absolutions given by the clergy of the Concordat were not valid.

There were now no French bishops in England, except the schismatical Bishop of Blois. Dr. Poynter had therefore to take the matter into his own hands. Moreover, the formula drawn out by the vicars apostolic in 1810, on which Milner had laid such stress, was no longer adequate to the changed situation, for most of those who refused to communicate with the French Catholics continued nevertheless—in an inconsistent manner—to profess submission to the Pope. It would appear that Dr. Poynter was stimulated to action by the French bishops then in Paris, and by King Louis XVIII. himself, who wished to take vigorous measures to stamp out the schism. At any rate during his stay in Paris, whither he had gone once more on the business of the Douay funds, after consultation with several French bishops, he drew out a new formula, to be enforced on all French priests in his district. The wording was taken from St. Thomas's definition of schism, and was as follows:—

"I the undersigned profess and declare that I am under submission to the Sovereign Pontiff, Pope Pius VII., as head of the Church, and that I am in communion with all those who are in communion with the same Pope Pius VII. as members of the Church".[1]

The new regulation came into force on Septuagesima Sunday, 1818. There were at that time 155 French priests residing in the London District.[2] Of these only seventy-three signed the formula as it stood. Some eighteen others offered to sign it subject to certain restrictions, the nature of which

[1] "Ego infrascriptus profiteor et declaro me Summo Pontifici Pio PP. VII utpote Ecclesiæ Capiti subesse; meque communicare illis omnibus tanquam Ecclesiæ membris qui ipsi Pio P. VII communione conjunguntur."

[2] These numbers are taken from an official list in the *Westminster Archives*. The higher numbers given by the *Times* and quoted in the *Orthodox Journal* (April, 1818, p. 158) are consequently incorrect.

can be gathered from a letter of Abbé Chêne, of the King Street Chapel. He expressed his willingness to give such canonical obedience to the Sovereign Pontiff as is due to him under all circumstances and in all matters in which he has the right to command, "and to communicate with those who have given the Church, so far as can be judged, sufficient satisfaction which she had a right to demand from them".[1] This of course Dr. Poynter could not accept, and he issued a suspension against all those who had not signed the formula purely and simply. This measure caused no small stir. The "restrictive subscribers,"—as they became called—protested, but submitted, and ceased to exercise their functions. As the chaplains of the French Chapel in King Street were among their number, it was shut up. Abbé Voyaux de Franous, of Chelsea, also made a difficulty about signing, but eventually gave way. One French priest appealed to Dr. Troy for protection; but needless to say, he only received a peremptory letter calling upon him to sign "pure et simpliciter, ad mentem proponentis".

Many of the French priests who had no public posts disregarded the censure, and continued to say mass in their private oratories; but some of them afterwards declared that they had not heard of the formula, and when they did hear, they signed it. Among those who did not sign was Abbé Chauvin, chaplain to Mrs. Fitzherbert, and he accordingly shared the suspension.

Some of those who refused to sign adopted an extreme position. Blanchard and Gaschet were once more to the fore. The former quoted letters from the Bishop of Rhodez in 1806, giving faculties to all the exiled priests, and said that although that bishop had since died, Mgr. Themines, by virtue of his universal jurisdiction, had subsequently confirmed these faculties. He contended that Dr. Douglass having become unorthodox, all those who had assisted at his funeral had adopted a similar standpoint—including therefore the Bishop of Aire, and the English Vicars Apostolic. Therefore,

[1] "Rendre au Souverain Pontife l'obéissance canonique qui lui est due dans toutes les circonstances et dans toutes les choses où il a le droit de leur commander."

"Ceux qui ont donné a l'Eglise dans la mesure qui a pu être jugé suffisante, les satisfactions qu'elle avoit droit d'exiger."

he said, Mgr. Themines had become their sole superior. A curious further development was that he fell out with Gaschet himself, who in his published letter to the Bishop of le Mans calls Blanchard "the greatest enemy of the Church after Pius VII.".

It is not to be wondered at that when all this took place, Milner sounded a note of triumph. The *Orthodox Journal* for July, 1818,[1] published a letter from him to a London priest,[2] dated from Wolverhampton on July 7, in which he wrote as follows:—

"I understand from other sources no less than from your kind and interesting communications, that the effectual suppression of the above-mentioned schism is now at length the order of the day in your parts: how happy would it have been for all the parties concerned, namely the Blanchardists, bishops, priests and laics here and in France, alive and dead, for the modern opposers of the schism in the metropolis, for the Bishops of Ireland, myself, and other constant opposers of it, had these measures been adopted and regularly pursued in the birthplace and at the first appearance of the fatal monster! . . . Nevertheless, thanks be to God, the remedy comes at last, though from the change of politics above mentioned, and the death or return home of so many of the emigrants, it is now almost like *locking up the stable when the steed is stolen.* Still, one important end it certainly answers with respect to this country, that of rendering the discipline and doctrine of your district and ours uniform, which for some years past have been different on the point in question; but as this has been effected by your coming over to us and not by our going over to you, methinks some apology is due to us for the hard words and the hard usage we have suffered for being in the right on this, as on every other individual subject which has been controverted between us."

Milner's triumph was, however, a little premature. The majority of those who had refused to sign had not adopted an attitude like that of Blanchard or Gaschet. A defence was printed on a fly-sheet and extensively circulated, signed by a writer who adopted the name of Cato, whom Dr. Poynter identifies as one of the priests who refused most decidedly to

[1] P. 261. [2] Probably the Rev. Peter Gandolphy.

sign; yet he dissociated himself entirely from Blanchard and Gaschet. His words on this matter are as follows:—

"It may be said that the Superior was obliged to have recourse to the severity he employed against the French clergy because some works have been published in French which contain falsehoods and which are injurious to the Superior. Such works may exist; but if they do exist, they are the works of individuals, and I know, and it is well known to everybody, that nearly all the French clergy condemn and detest such works, and do not encourage them in any manner as theirs."

On the main question, Cato took up the extraordinary position that the formula committed those who signed it to a belief in Papal Infallibility, which at that time he rightly pointed out to be merely a theological opinion; but in so arguing he betrayed a strange confusion of thought as to the meaning of Infallibility. He then proceeded to declare that the great majority of the French clergy in London—unlike Blanchard and Gaschet—were in communion with the Pope, but they were unwilling—he said—to communicate with the Church of the Concordat. In order to show this, he offered the former restrictive formula; or the addition of the words, *salva fide*, which he translated "errors excepted"; or as an alternative the following new formula which he said they would all sign:—

"I profess and declare that I am under canonical submission to the Sovereign Pontiff Pope Pius VII., in his quality of head of the Church, and that I am in communion with all those who profess the orthodox faith, and who as such are in communion with His Holiness Pope Pius VII.".

Dr. Poynter was of course unable to accept either alternative formula, and appealed to Rome to confirm his action. To this request the Pope willingly acceded, and indeed he went farther. By a letter dated September 16, 1818, he commanded that Dr. Poynter's formula should be enforced, not only in the London District, but throughout England. As a result of this, twenty-two more priests in the London District immediately signed, among them being the chaplains of the King Street Chapel, which was consequently reopened. The letter was published in the *Laity's Directory* for 1818, and some who till then had not heard of the formula, forthwith signed. A list

of the French clergy in all England—including Jersey and Guernsey—is among the *Westminster Archives*. They numbered in all 249. Of these only twenty-two definitely refused to sign, these including both Blanchard and Gaschet, and also Abbé de Merinville, who had been originally the leader of the "restrictive subscribers". Many others, however, are put down as not having answered, and it is to be feared that most of these never signed the formula.[1]

The twenty-two recalcitrant priests continued for some years to form a small schismatical body. In 1821 Gaschet brought out a pamphlet under the title of *La Communion in Divinis avec Pie VII.* He called the Pope a heretic, and maintained that all intercourse with him was unlawful. He also attacked Blanchard in strong language.

Blanchard himself was even more grotesque. Having learnt that there was to be a National Council at Strigonia, in Hungary, he addressed a letter in the name of nineteen French priests in England, complaining that their bishops had deserted them. The council was postponed, but was eventually held in the Church of St. Saviour at Presburg, in September, 1822: of course it led to no result. In the following year we find Blanchard living in Bath, with one Abbé le Cordière. They wrote many letters to Milner, first calling on him to espouse their cause and protest against the tyranny of Dr. Poynter; and later, when this had no effect, begging him to denounce them to the Holy See. In August, 1826, he wrote to a French newspaper, declaring that Bishop Milner, whom he describes as Vicar Apostolic of the London District, had been converted to his way of thinking. At that date Milner was already dead, and no doubt he meant Dr. Poynter, who, however—it is hardly necessary to say—had not in any way changed his views on the subject. This is the last publication

[1] A list of those French priests who had signed the formula was published in the *Catholic Directory* annually for many years afterwards. After the death of Pius VII., the formula was changed to meet the new circumstances, and it ran as follows:—

"I profess and declare that I am under canonical submission to the Sovereign Pontiff Leo XII. as head of the Church, and that I am in communion with all those as members of the Church who kept communion with Pius VII. (whom I acknowledge to have been Head of the Church from the time that he became Pope as long as he lived) until his death, and are now joined in communion with Pope Leo XII.'

of Blanchard's which is known, and no particulars of his or Gaschet's subsequent career are apparently to be found.

Mgr. de Themines lived until 1829. Notwithstanding Dr. Poynter's expostulations, he continued to give the recalcitrant French priests leave to say Mass in their own houses, and even professed to give them faculties to hear the confessions of their compatriots. We can give his own defence of the position which he took up from a minute made by Dr. Poynter, who called on him to make a formal protest on December 23, 1819, in company with his grand vicar, the Rev. James Archer. According to this memorandum,[1] Mgr. de Themines answered to the following effect:—

"[He said that] he had not performed any episcopal function here, and that he would not bless a cabbage without asking my leave. But as to the spiritual functions performed by the priests, a distinction must be made between those that are public, as in the public chapels, and those that are performed in private, as in private rooms. With regard to the first, it was necessary to comply with my orders, and not do anything without permission or jurisdiction from me. He said I had fully done my duty in that regard with respect to the French clergy, by the declaration of prohibition and suspension which I had published; that I ought to satisfy myself with what is done in public. But with respect to the secret exercise of jurisdiction, it was a different thing. He said that an Ordinary out of his diocese or parish might validly administer the sacraments in secret to his own diocesan or parishioner, without receiving jurisdiction from the Bishop of the place where he is."

The bishop also made attempts to claim what he considered to be his rights in France. The diocese of Blois had been absorbed into that of Orleans. When the question of the restoration of certain dioceses was being discussed in 1818, he wrote to the King of France demanding the re-establishment of his own diocese; but without success. Five years later, when it was re-established, and a new bishop nominated, he made another fruitless protest; and during the next few years he published several pastorals addressed to the faithful of his former diocese. In the early months of 1829, he left London

[1] *Westminster Archives.*

and took up his residence at Brussels. It would seem that he took this step in order to separate himself from his surroundings, feeling the approach of death, which at his advanced age could not be far distant. The end came a few months later, and during his last illness he had the grace to make peace with God. The following details from a letter written by Abbé T'sas who attended him in his last moments, are of sufficient interest to give in full :—[1]

"Being called the first time on October 19, at about six o'clock in the evening, I was much astonished to learn on the way that it was the former Bishop of Blois to whom I was called. I had only learnt within a fortnight before that he was living in my parish, though he had been there from seven to nine months. The first conversation naturally turned on his opinions. I asked him formally whether he had exercised any powers in his former diocese since the affair of the Concordat, and on his answering in the affirmative, I made known to the Prelate that I could not administer the Sacraments to him unless he declared himself obedient to the Sovereign Pontiff. Before we parted, he asked me to visit him again. I gave an account of this affair to His Highness the Prince Archbishop of Mechlin; I asked for his advice and for 'faculties'. . . .

"In a fresh interview, I proposed to Monseigneur de Themines that he should make the declaration which Bishop Poynter had exacted in London. He seemed astonished, and disturbed, but not yet converted. I left him, feeling disconsolate at my inability to prevail upon him. But my sorrow was turned into joy on learning that he had asked for me again. It was then that in presence of witnesses whom I found in the house, he made the following declaration :—

[Here follows a copy of Bishop Poynter's formula.]

"I administered him publicly. On the following day I asked him whether he was pleased at what he had done, and at having received the Sacraments: he answered, 'Yes, yes, God be praised'.

"The illness seemed to abate for an interval of four days; I used this to propose to the prelate a visit from the Nuncio. During this interview, which took place on the vigil of All

[1] Drochon, *La Petite Eglise*, p. 212.

Saints, he renewed his declaration. . . .[1] On All Souls' Day, about half-past eleven in the morning, I proposed to him to recite the prayers for the dying: he made efforts to join with me and to pray interiorly. Finally, he drew his last breath at about four o'clock in the afternoon, in order, I firmly hope, to enjoy by the mercy of God the reward promised to the just."

[1] It was formally witnessed by Mgr. Cappacini, the Nuncio, Mgr. Villers, Protonotary Apostolic; Abbé T'sas; and five laymen, four of whom were illiterates and could only put a cross: presumably they were his servants.

CHAPTER XXX.

PUBLIC AFFAIRS.

THE years from 1816 to 1820 cover a period when the agitation of the Catholic question led to small results in Parliament. For this several reasons may be given. It was a time of inaction in every department. The general fear of the revolutionary spirit shown by all the Governments of Europe after the Battle of Waterloo; the weakness of the English Ministry; their dread of all change, as shown by the secret committee to deal with the disaffection of the nation, and their suspension of the *Habeas Corpus;* the inevitable trouble and unrest due to the changes brought about by the era of manufacture; the growing demand for Reform: all these causes helped to obscure the question of Catholic Emancipation. Then there was also the reaction after the fiasco of 1813, producing a natural disinclination to re-open the question by preparing a fresh bill. The divisions went without exception against the Catholics, and it was evident that their cause had lost ground.

Nevertheless, these years are by no means without importance in their bearing on the development of affairs which was ultimately to lead to Emancipation. The agitation continued, and the question was raised in Parliament year after year, with hardly any intermission, both on behalf of the Irish and the English Catholics, sometimes more than once, under different forms, in the same session. It must have been evident to the impartial observer that sooner or later it would have to be faced, and a permanent settlement of some kind arrived at.

Those who were agitating for Emancipation were becoming more definitely divided into two parties. The constitution and aims of both have already been alluded to. Daniel O'Connell had become admittedly the leader of the popular party in Ireland, who clamoured for unconditional Emancipation, and he had impressed his motto upon them—Agitate, agitate. He

trusted to force of numbers and the essential justice of the cause.

In the political and social state of England in the first quarter of the nineteenth century, however, the party represented by the British Catholic Board—and by the "Seceders" in Ireland,—seemed at first sight to have the better chance of success, for the influence of rank and title in those days still appeared paramount. Their policy was to come to terms with the Government, and accept such "arrangements" as would pacify their opponents. In point of fact, once at least, in 1821, they succeeded in passing an Emancipation Bill through the House of Commons and only lost it by the adverse vote of the Lords; but in the end the victory was destined to be won by the other party. During the years now before us that party was gradually gaining strength in England. Petitions for "Unconditional Emancipation" became common from industrial and other centres of population,—as one from Manchester, one from Norwich, one from the Midland Counties, etc.,—usually containing several thousand signatures, and forwarded through Dr. Milner. The Catholic Board was apparently conscious of this, for about this time they established affiliated Boards in various provincial centres, and called upon Catholics to send all their petitions through them. Many did so; but others did not, and the feud between the two parties continued.

The division in the Catholic body was brought into evidence in the year 1816. That year marked a renewal of activity among them. The war—unexampled in intensity and duration—had at last come to an end; the Battle of Waterloo had been fought, and the Irish Catholic soldiers had earned an appreciable share in the glory of victory. It seemed a good opportunity to approach the Prince Regent, and the English and Irish Catholics each sent an address to him, which were both presented by the Earl of Shrewsbury on May 1. So far everything went as was to be expected; but when they proceeded to petition Parliament, it appeared that there were to be two separate petitions from the Irish Catholics, one from the (Irish) Catholic Board, the other from the "Seceders". The former was presented on April 26, by Sir Henry Parnell; the latter by Grattan—himself a Vetoist—on May 15. There was only one debate, which took place on May 21. Grattan took

his stand on the Genoese Letter, and gave notice that he would move in the following session for a settlement of the Catholic question based on the concessions which had been outlined by the Pope. His motion was seconded by Sir Henry Parnell, and supported by Lord Castlereagh, but opposed by Peel, and defeated on a division by 172 votes to 141. In the upper house Lord Donoughmore, who always proclaimed himself opposed to any kind of "securities," was the spokesman of both parties. The division showed a majority of four only—73 to 69—against the Catholics. A further petition signed by 23 bishops and over a thousand of the clergy protesting against any change in the method of episcopal elections, was presented by Sir Henry Parnell on May 30. A difficulty was at first made about receiving it, as the bishops did not use the word "titular" before their titles; but this was not pressed. When, however, on June 6, Sir Henry Parnell brought the matter up with a view to moving some resolutions, Mr. Peel objected that as they concerned religion, by a standing order they ought to be first referred to a Committee of the whole House. The Speaker corroborated him, but said that it had not been customary to enforce this except in the case of a bill. Lord Castlereagh appealed to Sir Henry Parnell to withdraw his resolutions, which he reluctantly consented to do.

Turning now to the proceedings of the English Catholics, we have first to congratulate them on the re-appearance of the name of the Duke of Norfolk among their ranks. The eleventh Duke—who had conformed to the Established Church—died on December 16, 1815, and as he left no children, the title passed to his cousin, whose family had always remained Catholics, and who from this time onward is found presiding at meetings of the Catholic Board. The petition of the English Catholics drawn out by the Board was presented to the House of Commons by Mr. Elliott on May 21, 1816; but as Grattan was speaking on the Irish petition that night, no separate debate was raised on that of their English brethren.

In the meantime another question had arisen in the English Catholic body. On December 27, 1815, a large meeting was held at Newcastle-on-Tyne, when some resolutions were passed which led to a large amount of discussion. The object of the meeting was to join in a general protest which was

being made throughout the country, with respect to some religious riots at Nismes and Avignon, in the South of France. These riots took their origin in the ill-feeling between the Huguenots and Catholics; but they were at least as much concerned with politics as with religion. The Huguenots had always been allied with the Bonapartists, and they were naturally averse to the restoration of the Bourbons; and the ill-feeling was intensified when Napoleon re-appeared on the scene, and again when he was finally defeated at Waterloo. In the riots which took place, they seem to have been the aggressors; but they had to suffer the loss of their two churches, which were old Catholic churches, though they were allowed money to build a new one of their own. In the riots which followed many houses of the Huguenots were pillaged and some were even set on fire. With respect to the number of lives lost we have the usual contradictory accounts. The Rev. Peter Gandolphy passed through Lyons in December, 1815, and made some inquiries from which he reported that 33 Huguenots had been killed, but a minister whom he met put the number as high as 60. This was bad enough; but public report in England exaggerated the evil to an absurd degree. Sir Samuel Romilly brought the matter before Parliament, saying that 200 people had been murdered and 2,000 houses destroyed; and although he corrected his figures the very next night, such was the general prejudice that his earlier statement continued to find popular credence. It was also said that the French Government had acquiesced in the outrages, and that no punishment had been inflicted on the delinquents. A public deputation waited on the Prince Regent, and called upon him to make a stand for religious liberty.

The agitation continued for some months, until a letter from the Duke of Wellington, then in Paris, declaring that the whole incident had been ridiculously exaggerated, calmed the public mind. When the perpetrators of the outrages were eventually brought to justice, it was found as might have been expected that they were not all on one side: both parties were to blame; there had been violence on both sides, but nothing at all comparable to that reported in the wild stories which had been circulated.

During the continuance of the agitation, the incident was

Bernard, Twelfth Duke of Norfolk

freely used as an argument against granting Catholic Emancipation; for, it was urged, in Catholic France, where the conditions were reversed, no toleration was given to Protestants. In order to meet this argument, some members of the Catholic Board thought that they ought to dissociate themselves publicly from the action of their co-religionists in France, and join in the general protest. In this they were only following the lead of O'Connell and the Irish, who a few days before had passed a strong resolution against religious persecution whether by Protestants or Catholics, with special reference to the incidents at Nismes, and had called upon the Prince Regent to become the champion of religious liberty. The resolutions passed at Newcastle, however, went further, and declared in strong language the right of every man to choose his own religion. They were proposed by Mr. Silvertop as chairman of the meeting, and carried unanimously. The following are the most important of them:—

"1. That attached as we are to the faith of the Catholic Church, we do maintain the right of every individual, in every age and in every country, to judge of the reasonableness of his belief; and we do moreover maintain that no man can be deprived of this sacred inalienable right without injustice or oppression.

"2. That attached as we are to the sacred cause of religious freedom, we should be undeserving of the name of Christians or of Britons if our philanthropy and the feelings of our sympathy did not extend to all who suffer for conscience' sake, and if we did not regard religious persecution by any sect, or by any power, or by any people as a horrid and detestable crime.

"3. That maintaining as we do these principles, we have beheld with the deepest sorrow the misfortunes and persecutions of our fellow Christians the Protestants in the South of France, and whilst we regret that religious rancour has had its share in instigating these atrocities, we are willing to believe and hope, from the best information we can obtain, that they are less to be attributed to religious than to political hatred, arising as it has done from animosities between citizen and citizen, and proceeding from the varying and protracted scenes of the French Revolution.

"4. That we anxiously look forward to a speedy termination of these atrocities; but if our hopes shall be disappointed (an event which we should most sincerely deplore) we shall consider ourselves called upon by every principle of Christian charity and benevolence to co-operate with our Protestant countrymen in extending to the Protestants of France the same relief and assistance which under similar circumstances we should be ready to afford to persons of our own persuasion."

The tone of these resolutions is drastic enough, and the first at least admits of an interpretation which would be outside the bounds of Catholic orthodoxy. But perhaps worse than the resolutions themselves was the tone of the speech of Mr. Silvertop in proposing them, when he expressed a hope that a better acquaintance with the Bible would spread a knowledge of the right which all men possessed to religious toleration—a remark which even if not in itself unorthodox, at any rate sounds more suitable in the mouth of a Protestant than of a Catholic.

Bishop Milner promptly issued a letter to his clergy condemning the resolutions. "It is not the Catholic rule of faith," he wrote, "that every individual should judge of the reasonableness of every article of his faith, but he is to believe them on the authority of the Catholic Church."

Nevertheless, there were to be found many among the clergy who considered that the sense attributed by Milner was not necessarily attachable to the words of the Resolution. They contended that those words were not incompatible with the profession of belief in an infallible teaching Church, and only asserted the right to judge of the reasons for that belief —that is, in theological language, of the "motiva credibilitatis".

Soon after this, however, the thoughts of English Catholics were turned in another direction by the re-appearance of the veto question in a new form. It will be remembered that in 1813 Sir John Coxe Hippisley had moved for the appointment of a Select Committee to inquire into the methods of appointing bishops in force in other countries. Although his motion was lost, he did not give up the idea, but determined himself to collect evidence on the subject. He received assistance from Lord Castlereagh, who communicated with the British ambassadors of the various foreign States. By their assistance

the requisite information was in most cases obtained. Sir John Coxe Hippisley completed his work in three years, and on May 28, 1816, he once more moved for the appointment of a Select Committee, this time simply "To report on the laws and ordinances existing in foreign States respecting the regulation of their Roman Catholic subjects in ecclesiastical matters, and their intercourse with the see of Rome or any other foreign jurisdiction".

After a short debate, in which Lord Castlereagh, Mr. Peel, Mr. Elliott and Sir Henry Parnell took part, the motion was carried without a division. No enthusiasm was evoked in its favour, but it was not considered worth while to oppose it. A Committee was appointed consisting of twenty-one members, including some influential names—Mr. Canning, Lord Castlereagh, Sir Henry Parnell, Mr. Grattan, and of course Sir John Coxe Hippisley himself. In less than a month a voluminous report was issued, which the House received and ordered to be printed.

The report contained a large amount of varied and interesting information, designed to show that the civil power exercised some kind of control, direct or indirect, over the nomination of bishops and over the promulgation of Papal Bulls in almost every country, even in those in which the sovereign was not himself a Catholic. The mode of episcopal appointment, however, varied almost indefinitely. In some Catholic States, the king had the uncontrolled right of nomination; in others, his power was limited by various restrictions. Perhaps the least autocratic method was that in force in Tuscany, where the king presented four candidates, out of whom the Pope chose one. In non-Catholic States the nomination was often in the Chapters. In Russia the bishops were chosen by a "consistory," which was an assembly of Prelates of the Latin and Greek rites. In each case it was subject to the approval of the civil power. In a few cases a Protestant monarch exercised direct nomination, having acquired the right by conquest, by which he succeeded to the privileges of a Catholic king. Thus the King of Prussia nominated absolutely to the three Polish dioceses of Gnesen, Culm and Posen. The same was the case with respect to the right claimed by England to nominate the Bishop of Quebec,

though it was doubtful whether the power had ever been actually exercised.[1]

The vicars apostolic naturally viewed the Report with displeasure and apprehension, considering that it would mislead many who might not advert to the very different conditions of Catholics in England and Ireland from those in the countries described. Milner lost no time in publishing *An Humble Remonstrance to the Members of the House of Commons*, and he also wrote in the same sense over the initials J. M. in *Catholicon*. He maintained that many customs which were inconsistent with strict Catholic discipline had been acquiesced in by the Church by force of circumstances; and that taking one instance as an example, the Emperor, Joseph II. had enforced claims which rested on no solid foundation. He contended that no layman could have "any original or inherent right" to appoint a bishop, but could only nominate or present by the consent, tacit or otherwise, of the Pope. This position, however, Sir John Coxe Hippisley himself would not have thought of questioning. His contention, if fully stated, would have been simply that as *de facto* almost every State was accorded by the Holy See some control over the election of bishops as a *quid pro quo*, it was reasonable that the British Government should expect something of the kind in return for Emancipation. The fallacy of his argument lay in his regarding Emancipation as a favour to be granted by the State, instead of considering it—as O'Connell did—a right to be exacted, in which latter view, it was unreasonable to expect a *quid pro quo* of any kind.

The other vicars apostolic acted together as usual. By their consent, Dr. Poynter requested the Rev. John Lingard to write an answer to the Report. This he did in an anonymous pamphlet, which he entitled *Observations on the Laws and Or-*

[1] The Rev. L. Lindsay, the present Archivist of the Archbishopric of Quebec, has kindly given the following particulars of the election of bishops in the Dominion:—

"There never was any Concordat stipulated in the case of Canada; therefore no *veto* could be claimed *de jure*, although *de facto* the names of the candidates were submitted to the Governor and almost invariably accepted. In two cases, which were somewhat unfortunate in the result, the names were proposed by the Governor and accepted by the Bishops. The first Bishop in whose election the Government had no part was consecrated as a Coadjutor in 1851, and succeeded as Archbishop to the see of Quebec in 1867."

dinances which exist in Foreign States Relative to the Religious Concerns of their Roman Catholic Subjects. His work was, as we should expect it to be, sound and scholarly. He argued against Hippisley on his own ground. He showed that in every case quoted in which the civil power exercised even an indirect control over the nomination of bishops, the Catholics had some kind of "civil establishment," which alone could render the exercise of such a power reasonable. In England and Ireland as Catholics had no kind of civil establishment or endowment, it was unreasonable for the Government to ask for any control. This was still more cogent with respect to the *Placet* or *Exequatur*. Having explained its nature and origin, and the nature of the Bulls to which it was intended to be applied, he declared that as the British Government took no cognizance of their issue and did not admit their binding force, it would be stultifying themselves to ask for the right to approve or disapprove them.

Lingard's *Observations* were published early in 1817. In view, however, of the intended motion of Sir Henry Parnell on the Catholic claims, on which a debate was expected, Dr. Poynter thought that the vicars apostolic ought to speak officially. He suggested the publication of the Genoese Letter—which had not yet been officially promulgated—together with five resolutions which he drew up to accompany it. The text of these was as follows :—

"1. That it is our duty in the present circumstances to warn the Roman Catholics committed to our charge against the opinion that they may conscientiously assent to regulations respecting the concerns of their religion on the mere ground that similar regulations have occasionally been made and enforced in foreign States.

"2. That among the regulations made in foreign States by arbitrary sovereigns, there are some which are and have been declared by the Bishops of such States to be inconsistent with the doctrine and discipline of the Catholic Church.

"3. That regulations which concern the civil establishment of the Catholic Church in other countries are totally inapplicable to the state of the Catholic Church in this country, where it has no civil establishment.

"4. That as official guardians of the Catholic Church we

deprecate the surrender of the nomination of Catholic Bishops to a prince who is by law the head of a different religious establishment: nor can we assent to the interruption of the free intercourse in ecclesiastical matters which must subsist between the Chief Bishop and other Bishops, subordinate Pastors of the Roman Catholic Church.

"5. That in framing these resolutions we have been actuated by an imperious sense of duty and by the purest spirit of conciliation, regulated however by the subjoined document [the Genoese Letter] as the present authoritative guide of our conduct."

The above resolutions were forwarded by Bishop Gibson, as Senior Vicar Apostolic, to each of the others, and he likewise sent a copy to Dr. Troy. The correspondence which followed showed considerable divergence of opinion. Dr. Collingridge wished to have a joint pastoral, based on that of 1813; but Dr. Poynter considered that as a meeting of vicars apostolic could not easily be held, it would be practically impossible to draw up a pastoral to which all would agree. Dr. Murray considered that the fifth of the resolutions indicated a tendency to renew the old Fifth Resolution of 1810; and although he was not directly concerned in the matter, the English vicars apostolic naturally wished to avoid any action of which their Irish brethren would disapprove. Dr. Murray preached a sermon on Good Friday, in which he likened the bands with which our Lord was loaded to the fetters which some Catholics were willing to put on Christ's mystical body, the Church; and this was commonly taken to be a declaration against any kind of concession in the way of "securities". He objected also to publishing the Genoese Letter, looking at it from the same point of view as the Irish bishops commonly did. Writing to Bishop Milner on the subject, he says:—[1]

"Your Lordship knows with what regret that document was given, with what eagerness it would if possible be retracted, and with what pleasure the intelligence would be heard at Rome were we to succeed in substituting a less objectionable arrangement for that which was wrung from the distress of the Holy Father. And yet this virtuous Bishop, [Dr. Poynter,] with the best intentions in the world, but without the least

[1] See copy of this letter in the *Westminster Archives*.

colour of necessity, comes forward to establish this very document as the basis of all future arrangements."

Bishop Milner did not quite adopt this position; but he said that the Genoese Letter should be omitted as irrelevant, and he also objected to some of the wording of the resolutions, especially the use of the word "Nomination" in the Fourth Resolution, as those who upheld the Veto might answer that they were not proposing to hand over any power of actual nomination. In fact, however, these two questions raised by him were closely connected with each other. Dr. Poynter took his stand entirely on the Genoese Letter, and by the word "nomination" he wished to include only such kind of veto as fulfilled the conditions laid down therein.

In consequence of this difference of opinion, the resolutions were not published. This Milner regretted, as he approved of their general tone. Apparently he was under the impression that he was the only dissentient, and he afterwards reproached himself for his conduct. He made amends by publishing them a few years later in his *Supplementary Memoirs*.[1]

As soon as it became clear that the Resolutions would not be published, Dr. Collingridge reverted to his own original scheme. "Perceiving by your last much esteemed favour," he wrote to Dr. Poynter, "that there was no appearance of any unanimity about a common pastoral or any other act on the present momentous concerns of our religion, and not hearing anything further on the subject from your Lordship, I this morning drew up the annexed, laying as you will see our former common pastoral under heavy contributions, thinking it right that a remembrance of that document should be kept alive."[2]

Taking the same text as before, "Render to Cæsar the things that are Cæsar's, and to God the things that are God's," Dr. Collingridge began with a short analysis of the former pastoral, including a renewal and further explanation of the old Fifth Resolution of 1810, and the exhortation to Catholics to use their influence to induce Parliament not to insert any provisions similar to the Canning and Castlereagh clauses of

[1] P. 249.

[2] The whole pastoral can be found in the *Orthodox Journal*, for January, 1818, p. 34.

1813 into any future bill. He then added a paragraph embodying the substance of Dr. Poynter's recent Resolutions. His words were as follows:—

"As official guardians of the interests of the Catholic Church in the Western District, we have felt ourselves called upon by strict duty to reiterate to you our former instructions, and moreover in the present circumstances to seriously warn you against the opinion that you may conscientiously assent to regulations respecting the concerns of your religion on the mere ground that similar regulations have occasionally been made and enforced in foreign States. For among the regulations made in foreign States by arbitrary sovereigns there are many which are and have been declared by the Bishops of such States to be inconsistent with the doctrine and essential discipline of the Catholic Church. And besides, there are many others which, as they concern the civil establishment of the Catholic Church in other countries, are totally inapplicable to the state of the Catholic Church in this country, where it has no civil establishment whatsoever."

He concludes with repeating his former appeal to all Catholics who have influence to use it to prevent the insertion of restrictive provisions in any future bill, "most particularly such as may tend to give in any degree the power of nomination of Catholic Bishops to a prince who is by law the head of a different Religious Establishment, or to impede that free intercourse on all Ecclesiastical matters which must subsist between the Chief Bishop and the members of the Catholic Church, for," he says, "we cannot but view and deprecate such clauses as pregnant with consequences that may prove highly injurious to our holy religion".

Strange to say, this pastoral gave great satisfaction to Milner. Apparently he was willing to overlook the renewal of the Pastoral of 1813, including the praise of the Fifth Resolution, in consideration of the declaration against the veto. That declaration was perhaps somewhat stronger than it would have been as it stood in Dr. Poynter's resolutions, for its meaning was not qualified by the Genoese Letter. For that letter Dr. Collingridge never had any liking, and in this case, considering that it was only permissive, not mandatory, he thought he was justified in omitting it.

Nevertheless, it is hard to see how Milner could have seriously maintained that the pastoral was a stronger protest against "religious innovations" than he himself had ever written;[1] and the heading which he gives to his account of it in the Supplementary Memoirs—"Restoration of a Right Understanding among the Prelates"—suggests that the wish was father to the thought. In point of fact, there was no nearer approach to union or common action between Milner and the other vicars apostolic after the Pastoral then there had been before it.

On May 9, 1817, the Catholic question was once more debated in the House of Commons, on a motion by Grattan. He was defeated by a majority of 24—245 against 221. The debate was rendered noteworthy by a comprehensive statement of policy on the part of Peel, as Irish Secretary, in which he declared himself against any kind of concession. "There are two systems possible to be adopted in Ireland," he said, "between which we must make our choice. The one is that on which we are acting at present, the other that which we are called upon to substitute in its place. By the first we give every toleration to the faith of the majority, but maintain that of the minority as the religion of the State. We exclude them from offices which are immediately connected with the Government of the country, admitting them generally to all other offices and distinctions. This system it is proposed to replace by another which shall equally profess to maintain the religion of the minority as the established religion, but shall open to the Roman Catholics both Houses of Parliament, and every office in Ireland exclusive of that of Lord Lieutenant. It will be my purpose to prove that the law we are now acting upon is preferable to that which it is proposed to substitute in its room."

"Do not suppose," he added, "that I think that they constitute in the abstract a perfect system, or that I rejoice in the exclusions and disabilities which they induce. I regret that they are necessary, but I firmly believe that you cannot alter them in any essential point for the better."[2]

[1] *Sup. Mem.*, p. 252. In conversation at Mr. Edward Jerningham's house Milner said that all that he had ever written was "a mere flea-bite" in comparison with what Bishop Collingridge had written in this pastoral. (See letter from Rev. Joseph Hodgson to Bishop Poynter, in the *Westminster Archives.*)

[2] *Annual Register*, 1817, p. 52.

Such was Peel's main thesis, which he argued out at great length, and he often afterwards appealed to this speech as defining his own position at that time.

In the House of Lords the question came up for discussion a week later—on May 16—when Lord Donoughmore made a motion in favour of the Catholics; but he was defeated by 142 votes to 90.

An important gain, however, was made in that year by an Act which enabled Catholics to hold commissions in his Majesty's army and navy, without restriction. This was a greater gain to the English than to the Irish, as up to that time they had been excluded altogether from the services, while the Irish Catholics, under the Act of 1793, were already allowed to hold the lower, though not the higher Commissions, and it will be remembered that when in 1807 Lord Grey (then Lord Howick) brought in a bill to throw open the army and navy to Catholics without restriction, his bill had been vetoed by the king, and this had led to the resignation of Lord Grenville's Cabinet. The events which led to a change of law nine years later were due to a specific case of hardship on the part of a gallant officer, Captain Whyte, which was urged under unusual circumstances.

The Whytes of Loughbrickland are an old Welsh family, living in the north of Ireland, who have always kept the faith. No less than six brothers belonging to this family were educated at St. Edmund's College in its early days. One of these, Edward Whyte, with whom we are now concerned, entered the Royal Navy in 1796, and had an unusually active time of service, during the Napoleonic wars. In 1804 he became lieutenant. In 1813, when he was first Lieutenant on the *Horatio*, he was given command by Lord George Stuart of an expedition to dismantle the batteries on the Island of Tholen, in the North Sea, at that time occupied by the French, and performed his task so well that shortly afterwards he was promoted to the rank of commandant. When, however, after the proclamation of peace, he applied at Cork for his new commission, he was unable to obtain it without making the declaration against transubstantiation, which, of course, his conscience would not allow him to do. Therefore he was debarred from his new commission, and having ceased to be a lieutenant in consequence

Captain Edward Whyte, R.N.

of his promotion, he found himself without pay of any kind. For more than a year he expostulated with the Admiralty without success. Eventually he appealed to the Prince Regent. His appeal was successful: he received his commission on March 4, 1817, with all arrears of pay, and without being called upon to take any oaths.

Happily the case did not end here. The injustice was manifest, and the Prince Regent considered that the time had come to abolish the Catholic disabilities in respect to the army and navy. The method adopted requires some explanation. As the law stood, it was necessary to make the declaration against transubstantiation before any commission could be obtained in England, or before a higher commission could be obtained in Ireland; and in each case to take the "Oath of Supremacy" and "receive the Sacrament" within six months afterwards. This was of course a complete bar in the case of Catholics; but it did not prevent Dissenters from obtaining commissions, as these latter were willing to make the declaration against transubstantiation. Having once obtained their commissions, however, they were not willing to "receive the Sacrament," and accordingly became liable to penalties. In order to meet their case it had been customary to pass an annual Act of Indemnity, freeing all those who failed to comply with the rule from the consequences which would otherwise ensue. In the benefits of this Act Catholics would be able to share, if only they could once get their commissions. The new Act therefore was a short one, simply allowing commissions to be granted before the declaration against transubstantiation had been made; and the rest was left to the annual Act of Indemnity.[1] It was introduced by Lord Melville in the House of Lords, and by Mr. Croker—the well-known editor of *Boswell's Johnson*—in the House of Commons, and passed without opposition. The achievement of this Bill alone will always make the year 1817 a memorable one in the struggle for Catholic Emancipation; and Captain Whyte rendered a service to the Catholic cause which must have been a recompense for all his labours and anxieties.

The year 1818 seems to have been a blank so far as the

[1] See *Butler*, iv., p. 257.

Catholic question was concerned. Mr. John O'Connell says, speaking of that year:—[1]

"The apathy over the popular mind was at its height, and where any effort was attempted, dissension and division were sure to interfere to stop all progress. It would be difficult accurately to convey an idea of what Mr. O'Connell justly styled, on one of the few public occasions then occurring, the depression of those miserable times."

Milner, in writing to Dr. Murray,[2] confirms this account given by O'Connell, and declares that even the bishops were losing their interest. At this time there seems to have been a coolness between him and the majority of the Irish bishops, for he complains that they do not write to him, nor even answer his letters. Moreover, they had ceased to employ him as their Parliamentary agent, having in 1817 appointed in his place Dr. Murray, and the Coadjutor of Cashel, Dr. Everard. They gave as their reason that Dr. Milner was unpopular. The latter declared that he did not mind being "discarded"; but he protested against the reason assigned, and began to find fault with whatever the Irish bishops said or did. In his letter to Dr. Murray just alluded to, he says:—

"Among the extraordinary as well as unfortunate events of my life, I consider it one of the principal that I have lost the confidence and regard of my Irish friends, and especially those of the Prelacy, and this without any the slightest offence against them or any of them. . . . But, my Lord, the change in the minds of the Irish Prelates in my regard is a trifle compared with that which appears to have taken place in them with respect to the security of our holy Religion. My terrors on this head are so great that I no longer dare to produce or quote those Resolutions which these Prelates year after year passed and published, after invoking the Holy Ghost to direct them in a business of this importance, for it seems to me impossible that, unless the Prelates had changed their minds, they should remain totally inactive while C. Butler with George Canning and Lord Castlereagh are forging fresh fetters to enthral them and Religion itself, upon the model of those which they almost finished in 1813, while Messrs. Grattan & Co. are prepar-

[1] *O'Connell's Speeches*, ii., p. 47.

[2] See letter in *Dublin Archives* dated February 22, 1819.

ing to rivet the same upon us, and while the great Catholic statesmen and orators have bowed to the yoke which they have sworn against."

Most probably Milner was alluding to the revival of activity among the English Catholics in the early months of the year 1819. It would appear from what Butler says that this was due to an interview which some members of the Board had with Lord Liverpool. The occasion of the interview was that General Thornton[1] was about to make a motion for the repeal of the Test Act, but he was acting without any reference to the Catholics, and they wished to explain this fact to the Prime Minister. "The deputation," writes Butler,[2] "was received by his Lordship in the most obliging manner: he discussed with the gentlemen who waited upon him the comparative situation of the English Catholics in respect to the nation at large, the Protestant Dissenters, and the Irish Catholics: he appeared to be extremely well informed on these subjects, and intimated in a clear but not an unfriendly manner the nature of the difficulties in the way of their relief."

"This circumstance,"—Butler continues, "and some things which took place while General Thornton's motion was in agitation were of a nature to raise the hopes of the Catholics and stimulate them to new exertions." On January 13, 1819, therefore, the English Catholic Board drew up one of their usual petitions for relief, and it was placed as before in the various chapels in order to receive the signatures of Catholics. On this occasion, however, the party who favoured "Unconditional Emancipation" took exception to that course, and criticised the wording of the petition. The passage which they objected to ran as follows:—[3]

"Your petitioners . . . now again approach your honourable House with the most perfect reliance on its wisdom and humanity, most humbly praying that your honourable House will take their case into consideration and grant them such relief as your honourable House shall deem proper for extending to them the enjoyment in common with their fellow-subjects of the blessings of the Constitution".

[1] General Thornton's motion came on in May, 1818, but was unsuccessful. Lord Castlereagh moved "the previous question," which was carried unanimously.

[2] IV., p. 280. [3] *Orthodox Journal*, 1819, p. 46.

As soon as he understood that objection had been taken to these words, Mr. Jerningham wrote an official explanation, to be shown to all those whose signatures were solicited. The explanation was as follows:—[1]

"These are mere words of courtesy, and bear no reference whatever to any specific concession on the part of the British Catholics, and still less to the particular measure termed veto, with which the British Catholics have no concern whatever".

This did not please his opponents any better. They resented his declaration that the veto was no concern of the English Catholics, and spoke of the petition as the Veto Petition.

Notwithstanding the opposition, however, over ten thousand signatures were obtained. The petition was presented to the House of Lords by Earl Grey, and to the House of Commons by Lord Nugent. No debate took place in either House.

While these things were taking place in England, an unprecedented meeting was held in Dublin, called by its promotors an "Aggregate Meeting" of the Protestants of Ireland, the avowed object being to petition Parliament for the Emancipation of their Catholic brethren. It was convened by the Lord Mayor, at the instance of the Duke of Leinster and the Earls of Charlemont and Meath, and was held in the Rotunda on February 11. Over 3,000 persons attended, the vast majority being in favour of the petition. Eventually the opponents withdrew, and it was carried unanimously. A subsequent meeting was held of the Catholics of Ireland, in order to express their thanks to their Protestant fellow-subjects.

It was perhaps partly in consequence of this influential meeting that Grattan's motion on May 3 approached more nearly to success than ever before, for it was negatived only by a majority of two—243 to 241. In the House of Lords, however, no substantial reduction was obtained, Lord Donoughmore's motion being defeated on May 17 by 147 to 101. Indeed the House of Lords remained a stronghold of the opponents of the Catholics. The Prime Minister, Lord Liverpool, was against any concessions, and the opposition of the Lord Chancellor, Lord Eldon, was proverbial. In 1817, when

[1] *Ibid.*, p. 48.

the Speaker of the House of Commons, Mr. Charles Abbott, resigned, and was raised to the peerage as Lord Colchester, a further addition was made to the anti-catholic strength. The whole bench of bishops were on the same side, with the single exception of Dr. Henry Bathurst, Bishop of Norwich,[1] who made many eloquent speeches in favour of Emancipation, and always voted on that side. In recognition of his services in favour of religious toleration, the Catholic board at a meeting on April 24, 1819, resolved to present him with a testimonial, which was to take the shape of a marble bust of himself, to be executed by Turnerelli. Unfortunately this determination was not carried out without an unfortunate difference of opinion manifesting itself, as we learn from a letter written by Charles Butler to Rev. Robert Gradwell in Rome three years later:—[2]

"We have had a bust cast of the Bishop of Norwich," he writes, "to be presented to him with an address: this has been signed by all the Vicars Apostolic in England and Scotland except Dr. Poynter. What his reasons for this unpleasing singularity are, I do not know. It is a very wayward circumstance, and, since it has happened, I sincerely wish the bust had never been thought of."

Returning now to the year 1819, it would appear that notwithstanding the hostility displayed by the Lords, the continuance of the Catholic agitation was creating some effect, for during the same session Earl Grey brought in another bill in their favour, which he evidently expected to pass. The object of the bill was to repeal the statute which required persons previously to admission to certain offices or to Parliament to make a declaration against transubstantiation, the invocation of the saints, and the sacrifice of the Mass. This was avowedly put forward as a step towards Catholic Emancipation. Amherst indeed objects[3] that Catholics could not have profited by it, as the obligation of taking the Oath of Supremacy would still remain. In truth, however, negotiations were already on foot for modifying that Oath sufficiently to allow Catholics to take

[1] Dr. Henry Bathurst is well known as having been one of a family numbering thirty-six children. The well-known convert Canon Bathurst of the Birmingham diocese who died in 1900, was a grandson of the bishop.

[2] *Archives of English College, Rome.* [3] II., p. 319.

it. So early as April, 1818, a rumour reached Rome that the Catholic Board were in communication with Lord Liverpool about Catholics taking the Oath. Litta wrote to Dr. Poynter enquiring as to the truth of this rumour, and Dr. Poynter obtained a written assurance from Mr. Jerningham that no communication of any kind had taken place between the Board and the Prime Minister. Nevertheless, it appears that some informal discussion was taking place between individual Catholics and certain influential members of the Legislature. Charles Butler, in a letter to Lord Grenville dated February 18, 1819, expresses his own personal opinion that the Oath could be rendered such that Catholics might take it, by the addition of a clause limiting the scope of the supremacy attributed to the King to such ecclesiastical matters as "impede or prejudice" civil allegiance; but he adds that the bulk of the Catholics would not be likely to accept this view unless it was recommended to them by the bishops, and the bishops if asked would probably apply to the Holy See for guidance. Two years later the question was formally raised, as we shall see in a subsequent chapter; but in the year 1819, it did not get beyond the stage of informal discussion. Milner came to London in June, but Earl Grey refused to see him. Lord Liverpool gave him an audience, on the stipulation that a third person should be present. Milner does not seem to have made very much impression on the Prime Minister; but this proved of no particular importance, as on 10th June Lord Grey's bill was rejected on the motion for second reading by 141 votes to 82, a majority of 59.

Three days after this, on the 19th, the Catholic Board passed a formal vote of thanks to Earl Grey, for his "noble effort to redeem the nation from the odium of statutes enacted in moments of acknowledged delusion, and serving only at the present day to perpetuate the recollection of a period which in the language of the most eloquent of our historians, it were better for the credit of the nation to be buried in eternal oblivion". At the same time they decided not to petition Parliament again for a while, considering that it would injure the cause if it came to be looked upon as a matter of routine to raise the question annually, and receive an adverse vote.

We conclude this chapter therefore with the Catholic question once more at low-water mark. In ending this period, we have to record the deaths of several who were prominent figures in the struggle.

Chief among these was King George III., who died on January 29, 1820. He had indeed been removed from active politics for nine years past, and the Prince Regent had been practically king; and he was as much opposed to Catholic Emancipation as his father. Nevertheless, in view of past history and the stress which George III. had laid on his objection to the measure, added to the fact that many considered that his "illness" had been brought on by the fear of it, we can well understand that his death was regarded as the removal of one great obstacle in the way of the Catholic claims.

The English Catholics suffered a great loss by the death of Mr. Elliott on August 23, 1818; for he had steadily spoken on their behalf year after year. But a far greater loss primarily to the Irish Catholics, but also to the cause of Emancipation, was occasioned by the death of Grattan on June 4, 1820. He had been in failing health for some time past; but he clung to his duty, and came to London in May in order to present the Irish Catholic petition as he had done so many times before. His strength, however, was fast ebbing away, and he died the very night before the date fixed for its presentation. Charles Butler conversed with him shortly before he died. In a letter to a friend, he describes his interview as follows:—[1]

"We have at length lost Mr. Grattan. He died last Monday. On the Thursday before I called on his son: hearing that I was in the house, Mr. Grattan desired me to come to him. I found him in his arm-chair, with a beginning mortification. He pressed me most affectionately by the hand, and said, 'It is all over; but how can I die better than in the discharge of my duty?' He told me that he had sent to the Speaker for his leave to be carried into the House in a chair, and to take sitting (for God knows, said he, that I cannot now stand) the customary Oath, and then to move two resolutions, which he read to me, in favour of the Catholics. Thus he died, one of the most constant and warm friends to civil and religious liberty and particularly to Catholic Emancipation."

[1] *Archives of English College, Rome.*

In his *Historical Memoirs*, after giving a somewhat similar account,[1] Butler adds:—

"He was buried in Westminster Abbey: his funeral was most honourably attended: the charity-boys of all the Catholic schools in London were present, and behaved with a seriousness which affected every beholder.

"As a parliamentary orator Mr. Grattan was equalled by very few:—in public or private virtue he was surpassed by none. He reflected honour on the country which gave him birth; in the Parliament of Ireland he had but one rival; the Parliament of the United Empire felt that he added to its lustre, admired, respected and loved him. It is honourable to the Catholic cause to have had such an advocate."

[1] IV., p. 392. Butler seems to say there that Grattan died during the night after his interview; while in the above quotation he gives the date of his death as the succeeding Monday. Neither is correct. He died on Sunday, June 4, 1820. As his death took place during the night, it is possible that Butler thought that it was after midnight, and that he died on the Monday: but June 4 is the date given in all accounts, and it is so written on his tomb in Westminster Abbey.

CHAPTER XXXI.

RECOVERY OF THE ENGLISH COLLEGES IN FRANCE.

DURING the latter half of his Episcopate, Bishop Poynter paid four separate visits to Paris, each lasting several weeks or even months. The object of his visits was the recovery of the property belonging to the English Catholics which had been confiscated during the Revolution. This was divided into two classes, one being the movable and immovable property; and the other the money claims, whether for *rentes*, or dividends payable out of French or other funds. The different claims were put forward and maintained together; but the question of the movable and immovable property was settled much sooner than that of the *rentes*, and it will be convenient to give an account of what took place in their regard in this chapter.[1]

We have taken the story in a former chapter down to the time of the death of Bishop Douglass. At that period, the British and Irish Colleges had been united, and the joint establishment was under the temporary control of the Rev. Henry Parker, Prior of the Paris house of the English Benedictines. The Rev. Paul Macpherson passed through Paris on his way to Rome in 1812, with full powers from the vicars apostolic of England and Scotland; but he found himself unable to affect anything, as he held no commission from the Irish Bishops. In the April of the following year (1813) a new figure came on the scene in the Rev. Richard Ferris, a former student of the Irish College, Doctor of Civil and Canon Law, and Canon of Amiens. He appears to have been a man of little principle or religion—Dr. Bew speaks of him as an infidel—and he was as ambitious as he was unscrupulous. He succeeded in having

[1] All the papers connected with the long negotiations between Dr. Poynter and the French and English Governments have been kept together in separate bundles in the *Westminster Archives*, and all the letters and documents quoted in this chapter are taken from these unless otherwise stated.

himself appointed as the superior of the combined Colleges in April, 1813. Dr. Walsh protested against the appointment, declaring that Ferris was totally unqualified, and he afterwards blamed Dom Henry Parker for not having made a firm stand against it.

The presence of Ferris indeed proved the most difficult feature in the long negotiations which followed. He began by taking up his quarter at the English Seminary in the *Rue des Postes*, and expending large sums of money in furnishing rooms for himself and his attendants. He administered the funds on a lavish scale, and so completely neglected his duties that, a year later, Dr. Walsh wrote that "not a vestige of Ecclesiastical study or discipline remains". Indeed, Ferris and his colleague, Dr. MacMahon, who had been at one time the medical officer of the Irish College, made no secret of their wish to transform the whole institution into "an establishment for the cultivation of the arts and sciences, such as Chemistry, Physics, Painting, and Architecture".

Moreover, Ferris was well acquainted with the officials of the French *Bureau*, and by a judicious expenditure in giving them dinners, and other forms of bribery, combined with great personal cleverness, and an insinuating and plausible manner, he succeeded in manipulating the forces at work, and kept himself in possession for a considerable time.

Mr. Daniel continued to live in the Seminary; but Ferris held no intercourse with him. Dr. Bew describes him as "very contentedly lodged in his black hole," and "in his condemned cell over the kitchen, often tantalised by the noise of the jack, which never turns for him, and scenting the savoury steams of dainties he is doomed never to taste".

It was evident that Mr. Daniel was too old to take any effective part in reclaiming the property, and it became of the first importance that some person should be on the spot, possessed of initiative and tact, whom he could depute to act for him; for all the Douay property being in his name, it was necessary that the claim should be put forward nominally by him.

In response to a generally-expressed wish, Dr. Poynter determined to go to Paris himself. He set out from London at the beginning of May, 1814, in company with Mr.

Bramston, on the same day that Milner started for Rome. They met each other, as we have already stated, at Dover; but they did not travel together. On arrival at Paris, Dr. Poynter soon got to work. He saw Sir Charles Stuart, half-brother of Lord Castlereagh, who was at the British Legation acting as *chargé d'affaires*, and also Lord Castlereagh himself. The latter was at that time residing in the French capital, engaged in arranging the general political questions which arose in consequence of the Restoration, and preparing the preliminaries for the Congress of Vienna. Dr. Poynter had several interviews with him, and propounded his whole case. Lord Castlereagh appeared favourably inclined and ready to help; but he wished first to reassure himself that it was not proposed to resume sending Catholics abroad for their education. We can quote a minute of this interview written long afterwards by Dr. Poynter himself from memory :—

"Lord Castlereagh asked Dr. Poynter whether it was his intention to re-establish the English Catholic Colleges in France. 'You have now,' his Lordship added, 'the benefit of domestic education.' Dr. Poynter answered that it was intended not to re-establish the English Catholic Colleges in France, but in future to educate our English Catholic clergy in England. Dr. Poynter made one exception with regard to the little English Seminary in the *Rue des Postes* at Paris, which was instituted to receive a small number of English Catholic students who were destined to take their degrees if the University of Paris should be restored. Lord Castlereagh said 'that is reasonable enough'. A few days later, he sent a short memorandum to Lord Castlereagh, begging for his assistance to procure the dissolution of the union between the Colleges, as a first step towards pressing their claims."

This memorandum puts the case shortly and clearly, and is worth giving in full :—

"About the beginning of the French Revolution, *viz.*, on 7th Nov., 1790, a law was passed which reserved to the English Catholics their Ecclesiastical property in France and the administration thereof by the respective Proprietors.

"This law was sanctioned by the King, and during the course of the Revolution was never disturbed until, on the 28th of the month Floreal in the year XIII. (*viz.* 19th of May, 1805), a decree was passed by which the English Ecclesiastical property was united to the Scotch and Irish, and put under the administration of an Irishman, and is still under such administration.

"The object in the first instance will be to repeal this decree of 28 Floreal and to revive the law of the 7th of November, 1790, so that the English property which exists may be restored to the right owners, and an indemnification be given for what has been illegally disposed of.

"None of the property could be disposed of legally, since the law of 1790 has never been repealed. This decree of 28 Floreal having never passed the *Corps Legislatif*, has not the force of a law and may be annulled by the King alone.

"The protection of Lord Castlereagh is most humbly and earnestly solicited for the objects above stated."

"PARIS, *May*, 28, 1814."

For a time matters seemed to go smoothly. The memorandum was favourably received by Lord Castlereagh, and two days later, on May 30, 1814, the Treaty of Paris was signed, whereby an arrangement was come to between the two Governments allowing compensation to all British subjects who had suffered confiscation of their goods under the decree of sequestration in 1793, in which year war was declared between England and France.[1] It was arranged that three British Commissioners should be appointed to formulate the specific claims, and it was understood that the properties of the Colleges would be included in them. This was as far as matters could proceed for the moment, and Dr. Poynter and Mr. Bramston returned to London, arriving on Trinity Sunday, June 5, 1814.

Dr. Poynter next proceeded to communicate with the Scotch bishops, and a joint letter was sent to Lord Castlereagh, signed by himself on behalf of the English colleges, and by the Rev. J. Farquharson, Rector of the Scots' College at Douay in the following terms:—

[1] See *Dawn of Catholic Revival*, ii. p. 76.

"My Lord,

"We the undersigned in our own names and in the names of the Vicars Apostolic and of the Catholic Clergy in Great Britain, beg leave respectfully to state to your Lordship that the British Catholic clergy were possessed of a considerable property in France previously to the French Revolution, purchased with money belonging to British subjects; and that this our property, or a great portion of it, has been alienated or reduced or otherwise illegally disposed of since the year 1792.

"We beg leave to recommend to your Lordship's kind protection our just claims as British subjects to the same property, that we may recover it conformably to the fourth additional article to the Treaty of Peace, signed on the 30th of May last; and we humbly and earnestly entreat your Lordship to have the goodness to recommend this our cause to the attention of the three Commissioners appointed for the execution of the said additional articles relative to the claims of British subjects.

"We have the honour to be, my Lord,

"Your Lordship's most humble and obedient servants

"✠ William Poynter,
"John Farquharson."

"London, *July* 4, 1814."

At the time when Dr. Poynter left Paris, the restoration of the colleges seemed so closely imminent that the Rev. Francis Tuite, who was there, went to St. Omer to arrange matters: for it appeared that the French Government wished to continue to use the college as a military hospital, and it became necessary to agree upon matters of detail, such as the amount of the rent, and the conditions of tenure. Dr. Bew also proceeded from Brighton, where he was then stationed, to Paris, in order—as he hoped—to take possession of the English Seminary on its restoration.

A disappointment was, however, in store for them. After Dr. Poynter's departure, Ferris continued his machinations and succeeded in procuring the issue of a decree dated June 21, 1814, which not only continued the union of all the establishments, but also confirmed Ferris himself in his post. The

decree was signed by the well-known Abbé François, duc de Montesquiou-Fezensac, who was acting as Minister of the Interior in the Provisional Government. Dr. Bew, however, considered this decree of little importance. It was said that the abbé had put his name to it without thought, and without realising the effect of his action, having been circumvented by those whom Ferris had won over, for the chief of the *Bureau* was a close friend of Ferris; while Montesquiou himself was at that time so fully occupied with the commission to draw out a revised constitution—of which he was the leading member—that he was unable to give his full attention to the matter in question. Dr. Bew felt confident that when the time came for the British Commissioners to formulate their claims, the decree could be revoked. His first interview with the abbé confirmed him in this opinion, as he found him favourably inclined.

Dr. Bew next called upon Ferris, who declared himself amenable to the proposed separation, provided that "all expenses hitherto made should be approved, all debts still owing should be acknowledged and ratified, and that all the bursars on our establishments should be continued till their education should be completed". These terms were of course quite unreasonable, for they were equivalent to paying all Ferris's debts due to his extravagant living, and educating a number of students who had no possible claim on the funds.

Ferris was, however, supreme with the *Bureau*, and Dr. Bew realised the uselessness of appealing to them over his head. Therefore he determined to go straight to the king. There was everything to recommend this course. The king had received hospitality in England during his exile, which would incline him favourably towards repaying it by an act of grace, while the fact that the petitioners were Catholics would be a further reason in his eyes to help them. Dr. Bew therefore drew up an appeal to the king, which he entrusted to Abbé Montesquiou, who promised to present it. Unfortunately the abbé's multifarious occupations again stood in the way, and the appeal took a long time to reach its destination. In the meantime a copy of it found its way to the *Bureau* and Ferris obtained a sight of it. This frightened him and he had recourse to many schemes in order to prevent the dissolution. He affected to be willing that the colleges should eventually be

restored to their respective owners; but he represented that his claims to indemnification for property illegally alienated, and for the *rentes* which had not been paid, would be more likely to be effective if made on behalf of one single large institution, than if divided into several. He therefore counselled that everything should he left in his hands until the question of these claims were settled. He also threatened a lawsuit on behalf of the parents of the present burse-holders. Dr. Bew's comment was that "Ferris has brought forth his *corps de reserve* of female adversaries, whom he has alarmed with the fear of seeing their children, hitherto very conveniently educated at our expense, thrown back again upon them": and about his advice he says, "he must take us for simpletons to think he could engage us to trust our chickens to the care of the fox".

While Ferris was thus occupied in bringing influence to bear on Dr. Bew, he conceived another scheme, of remarkable boldness and audacity. Hearing that three British Commissioners were about to come out, with colossal assurance, he offered to act for them, and proposed that they should establish a *bureau* in the English Seminary, and accept his hospitality during their stay. He issued a printed address to the British Government and Commissioners, indicating what would in his opinion be their best mode of procedure, at the same time giving his views on the general subject of the British claims, and his own version of the college question. The document was dated July 20, 1814.

Had Ferris succeeded in his latest scheme, he might have become a very powerful opponent; but it is hardly necessary to say that there was never any real chance of this happening. The Commissioners had some hundreds of claims before them on which to adjudicate, and it was even doubtful whether the Catholic claims would come under their cognizance at all: they were not in the least likely to pre-judge the case by fixing their abode in one of the colleges under discussion.

Further attempts were now made to reach the king personally. At Dr. Bew's suggestion Bishop Poynter wrote a strong letter to the Count de Blacas, *Ministre de la Maison du Roi*, who was supposed to enjoy the royal favour in a high degree. Influence was also brought to bear through the Duchess of Angoulême,

while Consalvi on his return from London put pressure on the Abbé Montesquiou, to induce him to bring the matter forward, and the Duke of Wellington, who had recently come to Paris as ambassador, also used his influence with the Minister.

At first it appeared as though these measures had been successful, for on September 25 a decree was issued ordering the dissolution of the colleges, signed as before by the Abbé Montesquiou. Once more, however, it was found that Ferris had outwitted his opponents; for when the conditions of the decree were examined, they were found to be all in his favour. He was indeed to cease his administration of the British houses; but he was to continue that of the Irish College; all the burse-holders were to remain until their education was completed; Ferris was to be allowed a whole year to remove his "archives, *bureau* and linen" from the English Seminary; and more important still, he was not to be called upon to show any accounts: it was only provided that the commission which had already been appointed to revise the accounts of Dr. Walsh, Dom Parker and Father McNulty since January, 1809—which was the point to which they had previously been taken—should receive any claims and refer them for settlement to the Minister of the Interior. "You will see," writes Dr. Bew, "that Ferris by his influence in the *Bureau* has obtained all his ends at the expense of right reason and consistency. They pretend to restore us our property, and by the preservation of the bursars deprive us of the enjoyment of it for perhaps ten years longer. They grant our demand of the disunion and sanction at the same time all the arbitrary expenditure of it ever since the union, and likewise for the future: whilst we claim indemnity for everything spent on objects foreign to our interests, and the end of the foundations, they pretend to balance accounts and never require any accounts from Ferris, nor appoint a commission to examine them, or direct how the accounts are to be settled. The whole is certainly illusory, and designed to prevent us from deriving any advantage from the dissolution."

Dr. Bew lost no time in protesting against the conditions of the decree. He told Montesquiou that Ferris had imposed upon him in demanding a year to remove his "archives, *bureau* and linen"; for there were neither archives nor *bureau* in the establishment; and in the meantime he (Dr. Bew) was

forced to live in hired lodgings, although his right to live in the seminary had been theoretically conceded.

The abbé heard Dr. Bew patiently and promised to give the matter his consideration; but time passed away, and nothing was done. Towards the end of November, Dr. Bew began to lose heart. An additional reason for this was that the Duke of Wellington had become less anxious to support the cause. The Rev. R. Marsh, O.S.B., the Northern Provincial, formerly Prior of Dieulouart, had written him a letter which appears to have been at least wanting in tact, for the duke described it as written with greater warmth than reasoning power. About the end of the month, therefore, Dr. Bew returned to England. Before leaving Paris, he gave a power of attorney to Mr. Bryant Barrett, a lawyer of Gray's Inn, and a former *alumnus* of Douay, who was then in Paris acting on behalf of various English firms. This would have enabled him to take possession of the seminary in Dr. Bew's name had the opportunity offered, and possession was, in fact, continually promised "within a few days"; but in the event it never came. When Dr. Poynter passed through Paris on his way to Rome, early in December, everything was quiet and nothing was happening with respect to the English houses.

Soon after this, however, a further move was made with respect to the Irish College. In response to a spirited protest from the Irish bishops, Ferris was ejected from his post as administrator. He was succeeded by the Rev. Paul Long, who had formerly been Curé of Laon, but had escaped to England during the Revolution. The date of the decree was January 16, 1815.

Within two months from that date, Napoleon had escaped from Elba, and was on his way back to Paris. On his arrival he at once annulled all the royal decrees, and reinstated Ferris over the colleges, which he combined as before. Dr. Poynter on his way back from Rome avoided Paris, and the position of affairs with respect to the colleges was considered to have drifted back to its former unsatisfactory condition.

But the reign of Napoleon this time was short, and after the Battle of Waterloo, when the Prussians and the English occupied Paris, and the king was once more restored, the question of reclaiming the British Catholic property again

came to the fore. Dr. Cameron went to Paris, together with his coadjutor, Dr. Paterson, and also the Rev. J. Farquharson. Dr. Cameron wrote to Dr. Poynter, pressing him to join them, but for a time he refused. He wrote on August 16, 1815, "For my part I have lost too much time and strength and spent too many hundred pounds of my own to think of going".

His determination, however, was altered by the course which events took in Paris. On October 30 was issued a Royal *Ordonnance* confirming Ferris in his position, and re-establishing a *Bureau Gratuit de Surveillance* over the joint college. It was now time to take action, if it was ever to be taken, and the Irish bishops deputed Dr. Everard, Coadjutor of Cashel, to proceed to Paris. When he passed through London on his way, he found Dr. Poynter also preparing to set out, and only waiting for powers of attorney from the other vicars apostolic to act for them. Having received these, he proceeded on his journey, reaching Paris on December 9. All the deputies—Bishops Everard, Poynter, Cameron and Paterson, and the Revv. John Farquharson and Francis Tuite—lodged together at the *Hôtel de la Valette*.

Shortly before Dr. Poynter's arrival, a new Convention had been signed, dated November 20, 1815, confirming the chief articles of the treaty of May 30, 1814; and Lord Castlereagh —who had come to Paris to arrange it—returned to England. This made the ground clear for the renewal of the British claims. As before, the deputies directed their first attention towards regaining possession of the colleges. Dr. Poynter was promised an audience of the king, and it was indicated to him that possession could probably be restored, but subject to the permanent control of a *Bureau de Surveillance*. On behalf of Douay, however, he refused to agree to this. We can quote his letter to Bishop Gibson under date January 7, 1816:—

"I have publicly declared," he writes, "that I *cannot* and will not submit to it. [Douay College] had subsisted about 225 years under the sovereigns of the country without being subject to a French Board, and why should they insist upon it now as a condition of our retaining it?"

"Besides," he added, "I have observed that such a condition would expose us, if we agreed or submitted to it, to the

just reproaches of our own Government; it would increase the prejudices against foreign education and be most ruinous to us. But I will not say that we shall employ Douay College for the purposes of education, or when we may employ it: it is impossible in the present circumstances to say what it may be proper to do with it; but I would not on any consideration pledge myself to any terms relative to it which might offend our own Government, whilst they would also be contrary to the very constitution of the establishment. Now in case the conditions attached to the offer of our property be such as we have every reason to expect, and we should think it necessary to reject it, and to demand the value, with an intention of transferring it to England, do you think we could obtain the assistance of our Government or of Lord Castlereagh for that effect? If our English Commissioners here do not actively concur with us, we should meet with little success. They may consider our ecclesiastical funds as destined for superstitious purposes, and refuse to have anything to do with them, especially as most of the funds belonging to Douay College are not in the name of any particular person, but in the name of the College of Secular Priests, claimable by the President for the time being."

From this letter it will be seen that Dr. Poynter, having failed to get any satisfaction when treating with the French Government direct, now turned back once more to the English Commissioners; but in doing so he was conscious of the difficulty which might be raised, and which was in fact to be afterwards the final barrier to the claims being paid, that the objects of the establishments were considered in English law as "superstitious". It seems to have been with a view to meeting this difficulty that he declared that if the French did not put him in possession within a reasonable time, he would "demand the value of the Colleges as sequestered property and transfer the value of them to England"; for he thought that under those circumstances no question would be asked in England as to the purposes of the establishments; and that if the French paid the money over the Catholics would receive it. This plea, therefore, he put before the Commissioners.

With the same end in view, on January 4, 1816, he also wrote to Mr. Bramston in London, asking him to seek an

interview with Lord Castlereagh and lay the matter fully before him, with a view to exciting the interest and assistance of the British Government. "I am fully persuaded," he added, "that since the British Government has built a College for the Irish Catholics, and granted them £8000 a year for ecclesiastical education, it will not refuse its assistance to the English Bishops to enable them to recover what they had lost, and to transfer it to their own country in which they have confidence. . . . I am sure that my present confidence in Lord Castlereagh's protection and assistance will not be frustrated. If I say that the value of our three establishments with all their property, real and funded, excluding arrears, etc. amounts to three millions of French livres,[1] I am under the mark."

On the same day Dr. Poynter called upon Sir Charles Stuart, who had recently been appointed British Ambassador, and found him very sympathetic, though he too raised the question as to the objects of the establishments being illegal according to the law of England. Dr. Poynter next drew out a statement of the whole case, which he laid before the three Commissioners on January 9. They also appeared sympathetic, and agreed to go into the matter. The greater part of the memorial of Dr. Poynter had reference to the claims for funds belonging to the Colleges, and as the discussion of these dragged on for several years, we shall postpone the further consideration of them to a future chapter. With respect to the restoration of the movable and immovable property, however, the intervention of the Commissioners proved unnecessary; for the French Government at length took action in the matter of their own accord. On January 23, 1816, an *Ordonnance* was issued dissolving the union and restoring the colleges to their owners.

The conditions of the *Ordonnance* were more favourable than on the former occasions; but they could not be considered satisfactory. Ferris was indeed not only ordered to resign his office and to hand over all money in hand, but also required to produce accounts of his administration, to the satisfaction of the parties concerned. The burse-holders were to be given four months' notice to quit, and the superiors of

[1] About £120,000.

the various establishments were left to arrange among themselves as to how much of the common property—purchased during the period of union—each was respectively entitled to. All these conditions were as favourable as could be expected. The unsatisfactory part consisted of the tacit assumption that the colleges would all be re-established, and the promulgation of the regulations by which they were to be hampered. These were that in spirituals they were to be subject to the bishop of the place, and in temporals they were to be under the "*simple surveillance*" of the Minister of the Interior. This implied a claim on behalf of the Government that the colleges were French establishments, to which Dr. Poynter objected on principle; and furthermore that the English authorities would not be at liberty to close or sell the colleges or to transfer any part of the property to England without the Minister's permission. The Irish colleges were declared to be all in the administration of the Rev. P. Long, and the Scots' College in that of the Rev. J. Farquharson; but the English colleges were to be handed each to its respective representative—Douay to the Rev. John Daniel; St. Omer to the Revv. Francis Tuite and John Yates, and Mr. Cleghorn; Paris to Dr. Bew.

It will be noticed that the houses of the Benedictines were overlooked in the decree. They had throughout pressed their claims independently of the seculars, and on the former occasion, as we saw, Rev. J. Brewer made the claim in favour of the Benedictine house at Douay; but on this occasion, at the critical time, there seems to have been no one ready to act, and it was not until the following September that they obtained a supplementary *Ordonnance*, to include them with the others. They had no difficulty in obtaining possession. Indeed they had already entered, and although they had been threatened by Ferris when he was still legally the administrator, now that he was deposed, they had nothing further to fear. Nevertheless, finding the conditions which had been laid down for the conduct of the establishment—its subjection to the bishop in spirituals and to the French Minister in temporals—added to the fact that there was no prospect of recovering their country house, the community of St. Gregory's decided to stay at Downside, where they had already been established a few years; and they handed over the Douay property to the community

of St. Edmund formerly at Paris. The Rev. Henry Parker had therefore the consolation of gathering together the scattered remnants of his community, which resumed its corporate existence in the old Benedictine monastery at Douay, and continued the connection of the English Catholics with the town so long bound up with their history, for the greater part of another century.[1] Dom Parker just lived to see the accomplishment of his hopes, and died in Paris the following year.

Possession of the other colleges was not so easily obtained. Nothing remained of the "biens non vendus" except the actual buildings. Mr. Tuite went to St. Omer, but was unable to obtain possession, as the French Government wished to continue to use the college building as a military hospital. But from that time he began to receive the rent of it. At Douay, nothing could possibly be done until the expiration of the long lease which had been granted to the spinning factory, not half of which had yet expired. So the only result was that in future the rent was paid to Mr. Daniel.

Dr. Poynter's next object was to try to dislodge Ferris from the Paris Seminary. In order to effect this, he called in person on February 6, to demand the intruder's resignation. Ferris pleaded for time to remove his effects, and on appeal to the Minister of the Interior he was given until May 1 for that purpose. Dr. Bew came to Paris in April and was told that he could take possession of the rest of the Seminary at once, provided he left Ferris in peaceable occupation of his rooms until the date named. This being finally arranged, Dr. Poynter returned to England; and in the event Ferris actually left a few days before his appointed time.

It now only remained for Dr. Bew to obtain from Ferris the accounts of his administration, for which it was necessary that there should be a formal discharge. When the statement was brought, it was—as would be expected—very defective. Several stormy interviews took place. At first Dr. Bew refused to give a discharge at all, which would have left Ferris legally liable. "From our conferences with him," he wrote, "we are perfectly satisfied that his whole administration has ever been a system of iniquity and rapine, which we hope to

[1] This is the community which was expelled in 1903 under M. Combes's Associations Law, and is now settled at Woolhamptonin Berkshire.

find means to convince the Minister of: I was always convinced, and he now acknowledges, that he reduced the establishment formed and organised by the decree of union as a public college to the nature of a private school for the benefit of Mr. McMahon and probably himself too. We cannot say precisely what was the state of it when he entered upon his charge, but we know that he has left it very much in debt. . . . We wish to convince the Minister that he has been shamefully imposed upon, that the *Bureau de Surveillance*, having been appointed to see the decree of union and the articles of it sanctioned by supreme authority, carried into due execution, they had no right to overturn the system they were appointed to support, and consequently that the Minister has a right to call Mr. Ferris to account for all the private gains, which must have been enormous, and condemn him to refund them. Even in the small accounts of Ferris we have discovered several instances of fraud, and whether we obtain the consent of the Minister or not to bring the charges home to him, we shall at least have done our duty."

As Dr. Bew continued to refuse his signature, Ferris threatened to go to law. Had this taken place, the matter would have come first before the *Bureau*, who would report to the Minister of the Interior. Considering the large influence which Ferris still had over the members of the *Bureau*, there seemed every chance that he might secure a verdict to some extent in his own favour. In view of this contingency Dr. Bew thought it more prudent to sign a general discharge, reserving the right to raise certain specific questions at a future date; for it was said that there was likely to be a change of ministry before long. Ferris agreed to the compromise, no doubt feeling confident that once he had a general discharge, in practice no further question was likely to be raised.

CHAPTER XXXII.

CATHOLIC LITERARY WORK.

AN account of Catholics during the first quarter of the nineteenth century would be very incomplete without some space being given to their literary activity, which, in proportion to their numbers, was very considerable. Several names occur to mind at once as belonging to this period. The Rev. James Archer published his first volume of sermons in the year 1787, and his last in 1827, and several at intermediate dates. The Rev. John Fletcher, who as a professor at St. Omer had gone through the imprisonment in France during the Terror, and who was afterwards chaplain to the Throckmortons at Weston Underwood, also published several volumes of sermons. The Rev. J. Chetwode Eustace published his *Classical Tour* first in 1813.[1] During all these years, Joseph Berington continued to write. Perhaps the most important of all his works—the *Literary History of the Middle Ages*—belongs to this time, having been published in 1814. He also wrote historical studies on Abelard and on Arnold of Brescia. The choice of subjects was characteristic; but the historical power and acumen was very noteworthy. In 1813 he collaborated with Dr. Kirk in bringing out an edition of a pamphlet known by the name of *The Faith of Catholics* in 1813. We shall have to allude to this work in another chapter, as it was condemned by Milner; but Berington never came under the censure of his own bishop during the latter part of his life. He lived to a good old age, and died at Buckland, where he had resided for thirty-four years as chaplain to the Throckmorton family, on December 1, 1827, at the age of eighty-five.

[1] The first edition was entitled *A Tour through Italy*. The better known title of *A Classical Tour* was given to the third edition in 1815. The tour itself had been taken in 1802.

Dr. Kirk, whom we have just mentioned, was always active with his pen, and of his learning there can be no doubt; yet considering that the greater part of his life was given to study, and that he lived to the age of ninety, his literary output can only be described as disappointing. At one time he had very considerable literary ambitions, as we learn from his undertaking no less a work than a continuation of Dodd's *Church History of England.* For this purpose he sent a circular in 1815, to all his acquaintance, asking anyone who had documents or letters bearing on the history of English Catholics to lend them to him to be copied. In after years he would complain that his circular met with a very inadequate response; nevertheless, he received enough matter to occupy him for several years. But the manner in which he set to work showed how unfitted he was for the task he had undertaken; for with untiring industry he set himself to copy every document, without discrimination, with his own hand. The collections which he thus made are indeed of great value, and have rendered many documents available of which the originals have since been lost or returned to private hands. Indeed such small knowledge as we possess of English Catholic life in the eighteenth century is principally due to Dr. Kirk. His biographical collections have been recently published, and are very valuable to the student of that period; but an inspection of them reveals the complete want of proportion in the mind of the author. It was Tierney who first directed attention to the fact that Kirk was working on wrong lines, and that in the way in which he was setting about his task, it would occupy several long lifetimes to complete it. The work was afterwards undertaken by Tierney himself, but unfortunately, for various reasons, was never finished. He set before himself the more comprehensive undertaking of revising and annotating Dodd's existing volumes before undertaking their continuation; but though he brought out five volumes, this only covered a fraction of the period treated by Dodd. Tierney's work, however, belongs to a later date than we are now concerned with.

Returning to the first quarter of the nineteenth century, three names stand out prominently in the Catholic literature of the day, namely, Milner, Lingard, and Charles Butler; and curiously each of them brought out part or all of what may

be considered their chief works within seven months of one another: for Milner's *End of Controversy* appeared towards the end of 1818; Butler's *Historical Memoirs* in January 1819; and the first three volumes of Lingard's *History of England* in the following May. These three books were of very different character. Milner's was a polemical work, written from the uncompromising outlook congenial to his nature. Of Lingard's history it is only necessary to say that it has a world-wide reputation, and that for originality of research and impartiality of treatment it was entirely unlike anything which had gone before it, whether Protestant or Catholic. Butler's work showed an immense breadth of reading, but no originality or research; and while the attitude he adopted towards Protestants was broad-minded and charitable, he allowed some contentious matter to be admitted with respect to the disputes among Catholics themselves.

It is characteristic of the natural intolerance of Milner's mind that every single Catholic writer mentioned in this chapter fell at one time or another under his ban. He condemned Archer's sermons, and prohibited their use in his district. He also spoke, though less strongly, against Fletcher. He wrote a pastoral with severe strictures on the little work edited by Berington and Kirk under the title of the *Faith of Catholics*, which he also prohibited in his district. He was never tired of declaiming against all the works of Joseph Berington, whom he described as a "dangerous innovator"; and he was specially severe on the Rev. J. Chetwode Eustace, author of the *Classical Tour*, speaking of him as "the reverend tourist who instead of gadding about with Protestants through classical scenes, ought to have been teaching Irish Catholics their catechism".[1] All these works were delated by Milner to Rome, at the time when Gandolphy's books had been condemned; for he declared that the action of the Holy See with regard to that priest constituted almost an invitation to send doubtful books to Rome. All of them were examined; but no condemnation was issued. Apparently the only book that gave anxiety to the authorities there was Eustace's *Classical Tour;* but as the author had died a pious death and apologised for some of the statements in his book, it was considered unnecessary to proceed to extremities.

[1] *Orthodox Journal*, August, 1819, p. 303.

It is needless to add that Milner also found cause for objection in many of Charles Butler's writings: yet it seems that he was not wholly insensible to his good qualities. Father Amherst indeed ventures on the bold assertion[1] that "the two men had personally a great respect for one another," and that "though they differed on a most vital question, there are points of resemblance between them which ought to be remembered as well as their contests". The following quotation is almost, if not quite, the only passage in Milner's writings in which he expresses any respect for Butler, and if only for that reason, it should be given here:—[2]

"His father," Milner writes, "was one of the most worthy and benevolent men, and one of the most pious edifying Catholics whom I have ever had the happiness to know. His uncle, the great Alban, was the most learned scholar of his age, and the glory of the ecclesiastical body to which I have the honour to belong. He himself is a man of very extensive natural talents, of indefatigable industry, of tried experience, moral and charitable to the poor, and frequently religious and even ascetical. He is at the head of his profession as a conveyancer, and cultivates many other studies with success, except theology, which indeed he professes to apply to only by way of relaxation from his graver studies. This is a misfortune; for to act upon a smattering of any one of the learned professions is of worse consequence than to be totally ignorant of it.

"To be brief, I have no antipathy against the learned gentleman, but a great respect for him. But when I continually find him during a whole quarter of a century undermining the religion of which I am a pastor and a guardian, by the books which he publishes himself and encourages others to publish, and still more fatally by his secret negotiations in England, in Ireland and at Rome, with clergy and laity, with Protestants and dissenters, with ministers of all parties and all subdivisions of parties, from Lord North down to Mr. Perceval; when I hear him lecturing his Bishops, dictating new creeds, and modifying the ancient discipline on his own theological judgment and assumed authority, I feel that it is my duty to

[1] II., p. 155.

[2] *Letter to a Roman Catholic Prelate of Ireland*, p. 5, note.

oppose him in every way that seems most effectual for this purpose."

The last half of this note is more typical of Milner's usual attitude than the first half. Indeed he could hardly ever write a sentence about Butler without falling into abusive language; and he continually denounced what he considered the blameworthy tone of his opponent's whole public life. "The policy of Mr. Charles Butler," he wrote,[1] "is of the most tortuous kind; he never did nor can move to an object but with the gait of a crab."

Charles Butler's language forms an agreeable contrast to the above. He was always willing and anxious to show his appreciation of Dr. Milner's character and abilities. Writing in his own defence in Andrews's *Truthteller*, he says:—[2]

"My sentiments in Dr. Milner's regard have ever been somewhat like those expressed by Lord Bolingbroke of the Duke of Marlborough. Some person having spoken contumeliously in his Lordship's presence of the Duke, Lord Bolingbroke stopped him: 'The Duke,' he said, 'is so great a man, that I cannot bear to think of his failings'. In the same manner I feel that by his *Letters to Dr. Sturges*,[3] his *End of Controversy*, and some other works, Dr. Milner has deserved so well of Catholics that I cannot think, and much less speak, of his failings without pain."

In his memorial to Cardinal Fontana—to be mentioned in a subsequent chapter—Butler spoke similarly:—

"Your memorialist," he wrote, " . . . both in his writings and in his conversation, has repeatedly done justice to the estimable parts of Dr. Milner's character; has said, and now says with pleasure, that several works written by Dr. Milner possess a very high degree of literary merit, have essentially served the Catholic cause, and have been of great service to your memorialist in his literary pursuits."

Although Milner would not have put Lingard quite in the same category with Charles Butler, he undoubtedly distrusted him, and found fault with all his work. By a curious coincidence he had a personal connection with the historian, who was born

[1] *Orthodox Journal*, October, 1813, p. 178.
[2] February 9, 1828, p. 202.
[3] Better known as *Letters to a Prebendary*.

at Winchester, and it was during the early years of Milner's residence in that city that he was sent to Douay. Milner always spoke as though Lingard was under great obligations to him and was showing ingratitude in taking so independent a line in his writings, without reference to the views of his benefactor. When the *History of the Anglo-Saxon Church* was published, he wrote to Mrs. Lingard, saying that her son had written an objectionable book. Writing to Bishop Sharrock he added, "The author is acquainted with some of my objections, and behaves with a haughtiness unbecoming his situation and his great obligations to me". He used this kind of language frequently in conversation and at least once in print:—

"How does [your correspondent] know, for example," he wrote, "but that this able and learned writer may have been singled out by the prelate from a crowd of his companions and provided by his zeal and laborious efforts with those means of cultivating his superior talents which now do such ample justice to the Bishop's discernment, and this in the full hope and expectation that the whole of these talents would be devoted to the refutation of religious errors and to the defence and service of the Church?"[1]

On reading this, Lingard felt the necessity of contradicting the statement; but he had long made a rule for himself not to answer attacks in the public press. So he contented himself with a letter to Dr. Kirk, in which he wrote,[2] "I was never under any obligation to him other than this. His predecessor (Rev. J. Nolan) had spoken to the Bishop to send me to College: *he* [Milner] approved of the choice; but I was never indebted to him for a farthing. . . . He never did anything in the world for me; nor did I want it of him."

In truth these two were of such different temperament that they could never understand each other. In a letter to Dr. Kirk after Milner's death Lingard says, "A friend has written to me that A. B. thinks the mantle of Dr. Milner has fallen on him, and that he is the inheritor of his zeal. Now as I do not admire that turbulent kind of zeal which burnt so fiercely in the breast of Dr. Milner, I shall [write] something respecting the zeal which belongs to a true Christian, the zeal

[1] *Orthodox Journal*, August 1819, p. 304.
[2] *Life*, by Tierney, p. 3. The date of the letter was December 18, 1819.

of charity which thinketh no evil."[1] Moreover, he had a low opinion of Milner as a historian, and declared that he would never quote his writings, as his references could not be depended on—as in fact a later editor, the Rev. Luke Rivington, found to his cost, when preparing a new edition of the *End of Controversy* a few years ago.[2]

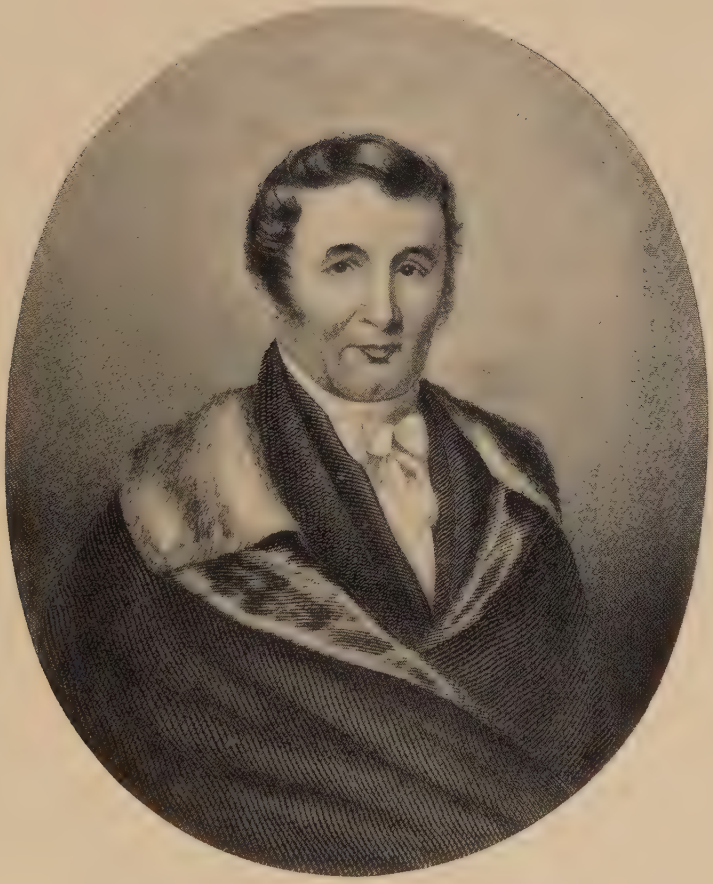
Lingard's work as a historian may be said to date from the time he left Ushaw in 1811 and took up his residence at Hornby, near Lancaster. He lived a life of seclusion, away from the noise of the busy world, and gradually surrounded himself with a library which afforded him every assistance in his studies. The work which was destined to make his name famous for all time originated in a modest scheme to provide a suitable English history for Catholic schools, and he was already in communication with Coyne, the Dublin bookseller, who wished to publish it; but as he proceeded with his work, it grew under his hands, until at length he cancelled all he had written, and re-wrote it on a larger scale.

The method which Lingard followed in his self-imposed task was for that date practically a new one. His object was to clear aside prejudice and all untrustworthy tradition, however venerable, and to search out the plain unadorned truth. No document was to be accepted until it had been traced to its source; and no deduction was to be drawn which went a hair's breadth beyond what the premises justified. The philosophy of history he boldly called "the philosophy of Romance". "It is the privilege of the novelist," he wrote,[3] "to be always acquainted with the secret motives of those whose conduct and characters he delineates; but the writer of history can know no more than his authorities have disclosed, or the facts themselves necessarily suggest. If he indulge his imagination, if he pretend to detect the hidden springs of every action, the real origin of every event, he may embellish his narrative, but he will impose upon his readers, and probably upon himself."

Earlier in the Preface to his second edition he lays down

[1] See undated letter, apparently written in 1832, in the *Birmingham Archives* at Begbroke.

[2] See his *Preface*, p. v. [3] *Preface to Second Edition*, p. ix.



Rev. John Lingard, D.D.

the rules that guided him throughout his composition, in the following terms:—[1]

"I did not hesitate at the commencement of my labours to impose on myself a severe obligation, from which I am not conscious of having on any occasion materially swerved: to take nothing upon trust; to confine my researches in the first instance to original documents and the more ancient writers; and only to consult the modern historians when I had satisfied my own judgment, and composed my own narrative. My object was to preserve myself from copying the mistakes of others, to keep my mind unbiassed by their opinions and prejudices, and to present to the reader from authentic sources a full and correct relation of events.

"These restrictions," he adds, "would indeed add to the toil of the writer; but they promised to stamp the features of accuracy and novelty on his work. How far I have succeeded must be for the public to determine: but this I trust will be admitted, that whatever may be in other respects the defects of this History, it may fairly claim the merit of research and originality."

It was by the rigid adherence to the principles sketched out above that it has come about that Lingard's History remains to this day a standard authority on the subject, and a distinguished writer has said that with all the additional means of knowledge now at the historian's disposal, he has never once found Lingard wrong.

The colourless and unimpassioned style of writing employed by Lingard was unintelligible to Milner. He considered the appearance of such a work as a golden opportunity for enforcing the Catholic aspect of English history, and he looked upon Lingard as having almost betrayed the cause. The latter evidently expected this kind of criticism. Writing to Dr. Gradwell on June 4, 1819, he says,[2] "I am told it was secretly whispered before [the History] was published that I had sold my principles together with my MS. Those persons will not fail to assert that their predictions are verified. For I have written in a different manner from that observed in the *Anglo-Saxon Church*. I have been careful to defend the Catholics, but not so as to hurt the feelings of Protestants. Indeed my

[1] P. iv. [2] *Archives of English College, Rome.*

object has been to write such a work if possible as should be read by Protestants; under the idea that the more it is read by them the less Hume will be in vogue."

A few months later, in a letter to Dr. Kirk, he speaks equally definitely:[1] "Through the work I made it a rule to tell the truth, whether it made for us or against us: to avoid all appearance of controversy, that I might not repel Protestant readers; and yet to furnish every necessary proof in our favour in the notes; so that if you compare my narrative with Hume's, for example, you will find that with the aid of the notes it is a complete refutation of him without appearing to be so."

Milner found an opportunity at a comparatively early date of making his influence felt against Lingard, under circumstances now to be described. During the first half of the year 1817, the historian's search after original documents drew him to Rome, whither he travelled in company with Lord Stourton. Before leaving England he called on his old friend and former master, Dr. Poynter, who gave him introductions to some of the Roman cardinals, and at the same time asked him to confer with Litta, then Cardinal Prefect of Propaganda, about various matters connected with the English mission, and more especially as to his own difficulties, which it will be remembered were at that period very great.

On his arrival in Rome, on May 26, Lingard proceeded to call upon Cardinal Litta. The sequel can be given from a letter of Dr. Poynter, to whom Lingard had written an account of what happened. Writing to Dr. Collingridge he says:—[2]

"Cardinal Litta at first said much in his commendation, and offered his assistance to obtain access for him to any libraries. Mr. Lingard went to the Cardinal the next Wednesday, full of expectation. The Cardinal was civil, but extremely cool. What was said by him and Lord Stourton about me made very little impression. When Mr. Lingard expressed his hope of receiving great assistance from him for his history, the Cardinal said he had read Hume and that Dr. Milner had answered his calumnies in his *History of Winchester*

[1] See article by Rev. E. Bonney in the *Ushaw Magazine*, December, 1909, p. 294.

[2] *Clifton Archives.*

and *Letters to a Prebendary*. Mr. Lingard went to him another day, but could do nothing with him. He gave the Cardinal extracts from the *Orthodox Journal* where Bishop Milner had published garbled pieces of my letters to Rome.[1] All that Litta said was that he expected them. He gave Litta a copy of his *Observations on Sir J. Hippisley's Report*. The Cardinal said that Bishop Milner had written against it. Mr. Lingard could not now get Litta to take a hint about assistance with respect to his history. Mr. Lingard adds, 'I have since been told the reason why Litta behaves to me in this manner is that on the Tuesday after my arrival he received a letter from England cautioning him against anything I might say'. So you see Mr. Lingard is knocked down with some great stone."

The writer of the letter, as will be guessed, was Bishop Milner, who had always been in close touch with Litta. He now wrote to caution him against anything that Lingard might say, and practically argued that as he himself had answered all the chief attacks on the Catholic position, further researches were unnecessary, and Lingard's work should be discouraged. Under these circumstances Lingard realised that it would have been useless for him to make further attempts with Litta. The two travellers accordingly left Rome, to make a short tour which they had projected through the kingdom of Naples. They returned to the Eternal City in time to see the annual illumination of the dome of St. Peter's accompanied by fireworks on the feast of the Apostle, June 29. Cardinal Consalvi had engaged rooms for them in a favourable situation, and they found themselves in the company of the King and Queen of Spain, the Princess of Wales, and other distinguished visitors.

"We all agreed," writes Lingard,[2] "that we had never seen fireworks to equal them. Particularly the explosions of rockets were exact imitations of the eruptions of Vesuvius. All Rome were present at these exhibitions, and besides Rome, all the foreigners that could come, so that it was impossible almost to procure lodgings. All, however, were disappointed. His Holiness was indisposed, and remained at Castel Gandolpho, so that the grand ceremony of the Papal

[1] See p 76. [2] *Ushaw Magazine*, December, 1907, p. 250.

Mass, and the still grander ceremony of the Pope giving his benediction from the gallery on the façade of St. Peter's to the multitude collected in the colonnade below, was omitted. These are said to be spectacles unique in their kind, and well worth the trouble of coming a hundred miles to see."

"About a week after," Lingard adds, "the Pope was so far recovered as to come to Rome, and the day after, we met the old man taking a walk out of the walls of Rome on the highway. His carriage followed at a distance, with six guards on horseback. He was in familiar conversation with two Prelates and a general."

After this Lingard called on Consalvi, who gave him a reception which stood out in contrast with that which he had received at the hands of Litta. He describes it in his diary as follows:—[1]

"I waited on Cardinal Consalvi to request permission to examine the archives of the Vatican library. Nothing could exceed the kindness of his Eminence. He sent for Monsignor Baldi, and in my presence told him to order, in his name, all the officers to give me every facility, and to procure for me such MSS. as I should then mark down in writing. But though they obeyed, everything had been thrown into so much confusion by the French, that I did not procure all the codices I wanted."

After a stay of two or three weeks, therefore, Lingard and Lord Stourton set out homeward, and they reached England before the end of August.

A few months after this, by the advice and introduction of Mr. Silvertop, Lingard entered into communication with Mr. Mawman, a Protestant printer in London, with a view of the publication of his History. At first Mr. Mawman was not too favourably inclined towards accepting the work; but having heard from Lord Holland, in a chance conversation, a high encomium of Lingard, he examined his manuscript with greater care, and in the end offered him a thousand guineas for the first three volumes of his history, which embraced the period from earliest times down to the end of the reign of Henry VII. These accordingly appeared in May, 1819.

As soon as the three volumes were published, Milner re-

[1] *Ushaw Magazine*, December, 1907, p. 250.

turned to his attack, in a letter to the *Orthodox Journal* which was inserted in the June number, over the initials "J. M.". He began with the following ominous paragraph:—[1]

"Mr. Editor,—Calumniated, misrepresented and ridiculed as our holy religion, the original Christianity of this and every other country which professes the name of Jesus, is and long has been by our ignorant or bigoted countrymen, it is a deplorable misfortune that since the days of Bishop Challoner and Alban Butler, most of the individuals of our body, whom God has qualified to vindicate it, should aid or at least connive at those irreligious acts against it."

After a few words against his usual bugbears, Joseph Berington and Charles Butler, and also against Chetwode Eustace, he proceeds:—

"I am far, Mr. Editor, from placing a late Catholic historian in the same list with the above-mentioned betrayers of their religion; were I to do this I should act in opposition to my judgment as well as to my sentiments; for few individuals are more interested in thinking favourably of him than myself: but this I say, and I say it in unison with all the Catholics of my acquaintance, who sincerely venerate and love their religion, he has not filled the expectations we had formed of his work: he has not done justice to his own abilities and learning any more than to the victorious merits of his subject: he has not sufficiently refuted the calumnies nor dissipated the misrepresentations of a Bale, a Barker, a Godwin, an Echard, a Hume, a Smollett, a Littleton, a Goldsmith, and a score more of Protestant or infidel writers; nor has he displayed the beauty of holiness irradiating the doctrine and heroes of Catholicity, in the manner that he might have done. In short the *History of England* which has lately appeared from the shop of Mawman in Ludgate Street is not a Catholic history, such as our calumniated and depressed condition calls for."

Coming to details, Milner complains that the appellation "Saint" has not been prefixed to those known to Catholics as such, and that they are spoken of as Augustine, Gregory, Thomas à Becket, etc., declaring that this omission is the sign of the want of appreciation of their work and character; and fixing his criticism especially on Lingard's treatment of

[1] P. 228.

St. Thomas, ends by quoting the well-known passage from the History: "Thus at the age of 53 perished this extraordinary man, a martyr to what he deemed to be his duty; the preservation of the immunities of the Church;"[1] and he sums up by saying, "If this, Mr. Editor, is not sacrificing the cause of the Church in the person of one of its canonised martyrs, . . . I know not what is".

Lingard, according to his custom, took no notice of this letter; but a spirited reply was sent by an anonymous writer, who signed himself "Candidus". Speculation has been rife both at the time and since as to the identity of "Candidus". Husenbeth says[2] that it was "understood to have been the Rev. J. Fletcher". The Rev. E. Bonney says[3] that a note in a copy of the *Orthodox Journal* belonging to the Salvin family ascribes the letter to the Rev. J. Wheeler. On the other hand, a letter among the *Westminster Archives* from the Rev. T. White, Milner's successor at Winchester, contains a disclaimer of his being himself "Candidus," and boldly asserts that Dr. Kirk had written the letters. If this was so, it would at any rate account for the care with which the secret of the authorship was guarded, for Kirk being one of Milner's priests would naturally be anxious that his bishop should not know that he was writing against him.[4]

But whoever "Candidus" may have been, he did not elevate the tone of the discussion, and both his several letters and Milner's answers—also under different assumed names—chiefly consist of personal bickerings. "Candidus" said that if Milner's expectations had not been fulfilled it was "not the fault of the writer, but of the reader"; Milner replied by accusing him of "quibbling and peevish logic"—and so forth. After several letters had passed on both sides, Andrews as editor gave a long summing up and a verdict in favour of Milner. "Candidus" replied by accusing his enemies of "low arts and sophistry," and declaring he had not had fair play: and the correspondence ended.

Milner, however, did not rest content with writing only to the *Orthodox Journal*. He likewise communicated with the

[1] Milner carelessly misquotes the passage, giving the word "thought" in place of "deemed".

[2] P. 396. [3] *Ushaw Magazine*, December 1909, p. 291.

[4] See also p. 293.

Irish bishops, begging them to join with him in discountenancing the book; and he even tried to obtain an adverse verdict in Rome. In both attempts he was unsuccessful. The Irish bishops had a high opinion of Lingard: at one time it appears that they were ready to offer him a professorship at Maynooth if he had been willing to accept it; and they were not likely to be led into a narrow view of his writings. Nor was Milner any more successful in moving the Roman authorities, though be continued to write to his agent, Father O'Finan, O.P., year after year, as each succeeding volume came out.[1]

Lingard wisely took no notice of Milner's opposition, and proceeded on the even tenor of his way. His fourth volume appeared in 1820, dealing with the reigns of Henry VIII. and Edward VI. Other volumes continued to make their appearance at intervals, until the year 1830, which was the date of the eighth and final one, taking the history down to the year 1688.

The applause with which each successive volume was received, both at home and abroad, was remarkable, and the fact that Protestant England accepted as one of her chief historians a Catholic priest living in a retired mission house is little less than phenomenal. The work went through five editions in England in Lingard's lifetime, not to mention the American editions and also one published from Galignani's celebrated press in Paris. Translations were published in French, German and Italian, the latter being issued from the Propaganda press in Rome; and the Pope showed his personal appreciation of his work by creating him Doctor of Divinity and of Civil and Canon Law.

In turning now from Lingard's *History* to Milner's *End of Controversy*, we are confronted with a book of most opposite type. In its own sphere it was a book of unrivalled ability and power; but it was designedly a frontal attack on Protestantism of all forms, and its author made no pretence of sparing the feelings of his opponents; while although the language was not intentionally provocative, and was in fact less acrimonious than in many of his writings, it was not such as would tend to propitiate, or to induce a person with anti-Catholic prejudices to read it. It had a very large sale, but for the most part among Catholics.

[1] See letters of Rev. Robert Gradwell (*Westminster Archives*).

The treatise was written in the first instance as part of Milner's celebrated controversy with Dr. Sturges, of Winchester, and in the ordinary course would have appeared sixteen years earlier;[1] but the controversy had grown heated: the acrimony of Milner's style had produced great irritation, which was probably the more felt on account of the intrinsic cogency of his arguments. Dr. Horsley, Bishop of St. David's, had begged Dr. Douglass to bring the controversy to an end. In view of the great obligations which Catholics were under to that distinguished dignitary, who had spoken on their behalf so well at the time of the Relief Act of 1791, Dr. Douglass considered that it would be a graceful act to accede to his wishes, and at his request Milner refrained from publishing his rejoinder. But he kept his manuscript by him, and as time wore on, and the reasons for withholding publication gradually faded into the distance, he began to think of preparing it for the press. Dr. Horsley died in 1802; Bishop Douglass in 1812; Milner had long left Winchester, and his controversy with Dr. Sturges had been nearly forgotten, when an occasion arose which seemed almost to call out for the publication of his book. This was that Dr. Burgess, the successor of Dr. Horsley in the see of St. David's, published a *Protestant Catechism*, which was of an aggressive anti-Catholic type. Milner gives a few quotations, which will show the general character of the book. The author says that "Popery is not to be tolerated, either in public or in private," and "it must be thought how to remove it and hinder the growth thereof". He accuses English Catholics of "acknowledging the jurisdiction of the Pope in defiance of the laws, and of the allegiance due to their rightful sovereign". But still more eloquent of the feeling in the country were some of the pronouncements of Anglicans in high position, which Milner quoted in his preliminary Address to Dr. Burgess, in the following terms:—[2]

"One of your most venerable colleagues publishes and republishes that we stand convicted of Idolatry, Blasphemy, and Sacrilege. Another proclaims to the National Clergy in Synod that we are enemies of all law, human and divine. More than one of these writers has charged us with the guilt of that anti-Christian conspiracy on the Continent of which we

[1] See *Dawn of Catholic Revival*, ii. p. 210. [2] P. iv.

were exclusively the victims. This dignitary accuses us of Antinomianism; that maintains our religion to be fit only for persons weak in body and mind. In short, we seldom find ourselves or our Religion mentioned in modern sermons or theological works unaccompanied with the epithets of superstitious, idolatrous, impious, disloyal, perfidious and sanguinary. One of the theologians alluded to, who like many others has gained promotion by the fervour of his 'No-Popery' zeal, has exalted his tone to the pitch of proclaiming that our Religion is calculated for the meridian of Hell."

It may be said indeed that such language as this is not wholly unknown in our own day; but it is not now used by persons of responsibility and position in the Anglican Church: it is limited to the extreme parties. But in Milner's day, it was practically universal among Anglicans; and this fact is a justification, if anything can be, of the vigorous style which he employs. He proceeds:—

"Thus solemnly and almost continually charged before the tribunal of the public with crimes against society and our country no less than against the Christian religion, and yet conscious all the while of our entire innocence, it is not only lawful, but it is also a duty which we owe to our fellow subjects as well as to ourselves, to repel these charges by proving that there was reason and religion and loyalty and good faith among Christians before Luther quarrelled with Leo X., and before Henry VIII. fell in love with Anne Boleyn; and that if we ourselves have not yet been persuaded by the arguments either of the monk or the monarch to relinquish the Faith originally preached in this island, above 1300 years before their time, we are at least possessed of common sense, virtuous principles and untainted loyalty."

It so happened that at the time when Dr. Burgess's *Protestant Catechism* appeared, Milner was free of important public engagements; indeed it was at the time when he had been cautioned by the Holy See against allowing himself to be drawn into contentious affairs outside his own district. The time was therefore opportune for him to devote himself to study. As a result, the *End of Controversy* made its appearance towards the end of the year 1818.

The book was divided into three parts. The first concerns

the principles which should underlie any search for the true religion. The second is intended to show that the application of these principles can only lead the inquirer to the Catholic Church. The third part is a defence of the Church against the calumnies current against Catholics in England.

In order to render the work more readable, Milner adopts the telling device familiar in the dialogues of Plato and of Cicero, and following the classic precedent, introduces a dramatic setting. There is said to be a society of persons who meet together periodically for religious discussions. The usual place of meeting is given as "New Cottage, near Cressage. Salop," the house of one Mr. Brown. The latter claims acquaintance with Milner's friend the Rev. John Corne, who was a real person, the priest of the mission of Stafford, and on the strength of this he takes the liberty of writing to Milner himself. He sends a copy of two essays supposed to have been read at a meeting of the Society. The members of the Society are said to be men of very various religious opinions—Anglicans, Methodists, Quakers, Presbyterians, etc. Thus an opening is given for discussions from different points of view, and they form the subject of the fifty letters of which the work is made up. It should also be added that there were in the first edition six engravings, chiefly on Scripture subjects, which enhanced the value of the book.

If any defect is to be found, it is indicated in the title. In handing a copy of the work to Husenbeth, Milner remarked, "I have called this book the *End of Controversy*, but it is likely enough to prove the beginning". In fact there can never be finality about controversy of this description; and hard logic, of the nature of a "frontal attack," however powerful, is not always the best way to win the mind and heart of the honest inquirer. In our own day it is realised that the first step towards answering an opponent is to enter into his reasoning and see what amount of truth it contains, and to estimate the force of his arguments before attempting to answer them. In Milner's time, controversialists had not proceeded so far, and his chief aim seems to be to show that his adversaries' arguments contained no truth and no force of any kind. It may be that in those times this was the only method practically available: certainly Milner was not alone in using it. But it

causes parts of the book to sound harsh and unsympathetic to modern ears.

The publication of the *End of Controversy* produced a great effect. Charles Butler is said to have stayed up all night reading it, and he attributed the unusual number of converts about that time almost entirely to its publication. Though an expensive book, in three volumes, the first edition soon sold out, and a second was issued in a single volume. A cheap edition of 2000 copies was published by Andrews, without the plates, and was quickly sold out; an edition also appeared in Ireland, while in America the work was stereotyped; and translations were also made into French and Italian.

The publication of Milner's work brought forth only a very short reply from Dr. Burgess, under the title of "Three words to General Thornton and one word with Dr. Milner".[1] The cause was, however, taken up by Rev. Richard Grier, Vicar of Templebodane, and a desultory controversy proceeded for some years between him and Milner.

The *End of Controversy* appeared in November, 1818. It was followed within two months by Butler's *Historical Memoirs;* but this latter book led to results closely bound up with the general history of Catholics. In order to trace these to their end it will be necessary to set apart a separate chapter for its discussion.

[1] General Thornton had recently brought in a Bill to the House of Commons. His Bill had no direct reference to the Catholics, though had it passed, they would have profited by it; see p. 249.

CHAPTER XXXIII.

BUTLER'S *HISTORICAL MEMOIRS* AND MILNER'S *SUPPLEMENTARY MEMOIRS.*

THE first edition of Butler's *Historical Memoirs* was published in January, 1819. It was in two volumes, and the frontispiece of the first was a portrait of the author. The *Memoirs* covered the period from the Reformation down to the time when they were written. The first edition rapidly sold out. In preparing a second edition, Butler added two volumes of additional matter, taking the history of English Catholics back to Saxon times, and also adding additional particulars with respect to later occurrences in which he had been personally concerned. This edition appeared in 1821. In the following year a third edition appeared, in which the new matter was woven in with the old, the whole filling four fair-sized volumes. It is this edition which is usually met with.

The work showed evidence of wide reading, and remarkable industry, and quickly became a standard authority on Catholic history. We have repeatedly drawn from it in the preceding pages. Moreover, it is written with candour and fairness. Speaking of his work he points out[1] that "In writing on a subject upon which there have been great differences of opinion, and warm discussions, it is difficult to express oneself in a manner that will satisfy both parties: all that can be done is to abstain from ungentle language, and to adhere as much as possible to simple narrative. The Reminiscent," he adds—alluding of course to himself—"trusts that he has observed this rule; he hopes a single harsh word or harsh reflection is not to be found in any of his writings." He is no doubt referring chiefly to the description of those events in which he had a personal share. Speaking more definitely about the Blue Book Controversy, he says: "It was impos-

[1] *Reminiscences*, p. 300.

sible for the Reminiscent not to mention this dispute in his *Historical Memoirs;* but he has the satisfaction of knowing that his readers think he could not have done it in fewer lines, or in terms which less provoked discussion."[1]

There were, however, considerable literary defects in the volumes. They contained many errors, only some of which were typographical, while the manner in which the matter was put together caused an appearance of want of order as well as a want of proportion, both of which were specially noticeable in the fourth volume of the third edition. Thus we find a chapter on the veto question, beginning in 1799, followed by other chapters taking us through the debates in Parliament in 1808 and 1810, the Quarantotti Rescript, the Genoese Letter, down to the Pope's reply to the Irish Catholic Board in 1818. This is followed by a chapter on the origin of the (English) Catholic Board ten years earlier; and this again by an account of Fox's ministry two years earlier still. After that we are given the full text of Butler's own address to the Protestants of the United Kingdom in 1813, occupying no less than thirty pages, followed by an account of the emancipation bill of that year. A still greater want of proportion is shown by giving fifty-three pages to the verbatim report of Plunkett's speech in introducing the bill of 1821. Then after two long chapters on that bill, we are given an account of the death of Grattan which happened in the previous year.

Notwithstanding these defects, the work was considered a great success, and Butler received numerous congratulations from his friends. It was hardly to be expected that the editor of the *Orthodox Journal* would have been among the number; but few people could quite have expected the style of review that was given to it. This was written by Milner, under the pseudonym of "Vindicator," and took the form of a letter to the publisher. It began as follows:—[2]

"MR. PUBLISHER,

"If a man has distorted eyes, or any other defect in his countenance, he generally conceals it with a patch or a plaister, and is by no means forward in exhibiting his portrait to the public. In like manner, should a man be known to have

[1] *Reminiscences*, p. 275. [2] *Orthodox Journal*, February, 1819, p. 64.

been guilty of many blunders for a signal misconduct in any agency which he had undertaken, prudence teaches him to descant on any other subject rather than on this. But an excess of vanity will make some persons set these rules of common decency at defiance, so far as to appear vain of their deformity, like Wilkes, or to burn down a temple on the principle of Erostratus.

"These ideas are suggested to us by a slight glance at a new work called *Historical Memoirs of the English Catholics*, with the name of the author in the title page and his physiognomy opposite to that page. Certainly neither one nor the other ought to have been publicly exhibited. Not content, however, with this display, we are informed that this modest gentleman has written a review of his own work, and we are led to expect a sight of it in your rival's magazine in the beginning of next month.

"From the hasty glance we have given the publication, we are enabled to pronounce that like his numerous other 'somethings about anything,' for the use of boarding-school misses and elegant young gentlemen readers, it is something about the memoirs of Catholics, and about a hundred other things quite irrelevant to the subject, at the same time that it studiously blinks at most of those affairs which most concerns both Catholics and Protestants to be informed about, and particularly those which the author himself has so wretchedly marred and disgraced, not unfrequently to the confusion of his honourable employers."

He then proceeds to give some "specimens of his historical and chronological blunders which even a boarding-school miss is capable of correcting"; after which he concludes in the following words:—

"Should this work gain that credit among Protestants which none of the author's former historical works have gained (there is little danger of any historical or religious work under his name gaining credit among Catholics), the writer of this may probably animadvert upon it more at large than he has leisure to do at present.

"I am, yours, etc.,
"VINDICATOR."

"ASSINDON,[1] *Feb.* 9, 1819."

[1] Assindon is the name of a village near Stonor Park. Butler used to spend a week every year making a spiritual "Retreat" at Stonor.

CHARLES BUTLER

The mention of "distorted eyes" at the beginning of this letter was an allusion to a slight deformity in Butler's face. He had lost the sight of one eye, after an operation for cataract, and it appears that in consequence there was the appearance of a cast in the remaining one. Although, however, this was noticeable in real life, in the print published in the *Memoirs* it can hardly, if at all, be detected, and the allusion would have been unintelligible to those who did not know him personally.

Whether Butler recognised who was the author of the letter, we cannot say: but whether he privately recognised him or not, he felt at liberty to speak freely, as to an anonymous writer. In his answer he called "Vindicator" "a demagoguish scribe, without manners or morality, but of unprincipled vulgarity"—expressions which he of course could not have used had Milner been ostensibly the author. However in the April number of the *Orthodox Journal* the bishop wrote a letter of twelve columns, avowing himself as "Vindicator," and apologising for his first paragraph. "Thus far I own I was in fault," he said: "that in blaming his preposterous vanity I pointed to a natural defect in him which he cannot help." He then proceeded to find fault with the *Historical Memoirs* throughout, and Charles Butler's general method of action. The following is a fair specimen of his language:—[1]

"After all, Mr. Editor, be sure that I bear no ill will to this meddling man; I can forgive him all the mischief he has done or attempted to do me and the Catholic religion, if he would neither do nor attempt to do the latter any more mischief; but Sir, when I find him misrepresenting the whole history of English Catholics, and see him in particular glossing over his own treacherous conduct in their regard, as he certainly does in his late faithless *Memoirs*, for the evident purpose of continuing the same game in their future religious concerns, I feel it my duty to guard my Catholic brethren against his further intrigues, by directing their attention to those which he has already practised against them."

Milner concludes by suggesting the following as a suitable epitaph for the author of the *Memoirs*:—

"Here lies the body of [Charles Butler], who having failed in his studies for the priesthood in the pope's Seminary at

[1] *Orthodox Journal*, April 1819, p. 131.

Douay, became the constant opponent of priests, bishops, and popes. He was the founder of the sect of Protestant-Catholic-Dissenters;[1] the publisher of the three quarto Blue Books in its defence, and in opposition to bishops and popes. He was the prime supporter of the Cisalpine anti-papal Club, and of the Uncatholic Bible Society. He was the distorter of Catholic history, the joint fabricator of the Fifth Resolution for *concurring* in the support of the Protestant Charter schools and other similar establishments, and the chief framer of the bill for subjecting the jurisdiction, discipline, and doctrine of his Church to the control of a lay tribunal, under the paramount authority of a state minister, bound to swear this church to be *idolatrous*. Having failed in gaining this dearest object of his wishes in 1813, he finally succeeded in the year , and thereby occasioned the schism, the tumults and the misery which have since afflicted one part of the United Kingdom. He died of the month in the year . Cujus Animae propitietur Deus."

In a subsequent number Milner resumed his remarks. He was writing primarily about Lingard's History; but he took the opportunity to add a few more words about poor Charles Butler:—[2]

"A celebrated Catholic counsellor and bill-maker who is yet alive," he wrote, "began his public life with an avowed attempt to turn his fellow Catholics into PROTESTANT DISSENTERS; and seems to have lived till old age with no other view than that of subjugating the Divine priesthood of his church to an unrestricted lay and even heterodox control."

Butler did not answer any of these attacks; but a writer under the name of "Candidus," to whom we have already alluded, writing in defence of Lingard, also took the opportunity to speak for Charles Butler, in the following terms:—[3]

"As to the learned gentleman of the law, by whose offensive image your mind seems to be perpetually haunted, and upon whom you are in the habit of pouring forth such torrents of illiberal abuse, far from considering him according to your

[1] It is hardly necessary to point out that the curious title proposed in 1791 was "Protesting Catholic Dissenters". Milner frequently in his writings gives the form Protestant-Catholic, presumably to emphasize the incongruity of the title. See *Dawn of Catholic Revival*, i. p. 164.

[2] P. 229. [3] P. 267.

representation as the betrayer of his religion, I am induced, on the contrary, by his exemplary forbearance under the provocations he has experienced from the virulence of your pen, to contemplate him as the best promoter of its interests."

Milner of course replied again. He said that "the mind of every faithful shepherd, who knows that a wolf is prowling round his fold, is haunted by the image of it," and declared that it was evident that "Candidus" himself "is a PROTESTING CATHOLIC DISSENTER, or perhaps that he is the inventor of that schismatical denomination, and ready at all times to sell his clergy and the real interests of his religion, for the poor chance of worldly honours and emoluments."[1]

In the meantime Milner had been hard at work preparing a detailed answer to Butler. Apparently his first idea was to add a certain number of notes to a subsequent edition of the *Memoirs*. This of course required Butler's permission and co-operation; and he had approached him with a view to this before his first letter in the *Orthodox Journal* had appeared. The following letter from Butler to Dr. Kirk gives us information of this scheme:—[2]

"Dr. Milner has been in town. He communicated to me through Mr. Jerningham that he wished to print some observations on certain passages in my work, in which, as he said, the whole truth was not told: that he wished these to be printed in the new edition of my work, leaving me at liberty to add any remarks upon them which I thought proper: he added that he wished there should be no formal reconciliation between us, but that we might meet in future and that without contention. I told Mr. Jerningham that I thought the offer of inserting his observations in the new edition of my work was very fair, but I observed to him that for several years Dr. Milner had in every mode of publication brought charges against me which if they were true would make it impossible for men of honour to associate with me, and for Catholics to think of me otherwise than with abhorrence; so that every rule of honour required that a full explanation on these subjects should take place before I could hold any communication with him.

[1] P. 304. It appears from this that Milner suspected "Candidus" to be Charles Butler himself.

[2] *Kirk Papers* (Oscott), vol. iii.

I therefore proposed that he should acknowledge that he had discovered that some of the charges he had brought against me were unfounded, that this led him to suspect that others were equally so, and that it was on this account his wish that the whole should be considered as unsaid.

"I think a more moderate proceeding on my part could not have been devised. At the meeting at Lord Clifford's he acknowledged that all the charges against me which I there produced from his works were untrue, and he admitted that when he asserted in the work which I there produced that I had supplied Dr. Sturges with materials to write against the Catholics, he knew and had previously acknowledged in a letter to me that the assertion was false. In fact, I held in my hand at the meeting the letter in which he acknowledged the charge to be false and mentioned the person from whom he had received the document in question. The repetition, therefore, of this acknowledgment was all I required. Such, however, as was the acknowledgment, he refused to make it, and intimated his intention of a separate publication."

Accordingly Bishop Milner set to work with his accustomed vigour, and his notes on Butler's statements grew into a book of 330 pages, which he entitled *Supplementary Memoirs of the English Catholics*. In his Preface he explains his object in writing. The following extract will give an idea of the attitude which he assumed towards his opponent:—

"The fact is, learned Sir," he wrote, "that few writers can describe with fairness, and as few readers can estimate with impartiality the transactions in which they themselves, their relatives or friends, have borne a part. Hence it is far better to leave the historical memoirs of such transactions to be written by posterity, when the passions and prejudices of those who bore a part in them will be extinct in the grave, than themselves to undertake to write them. Nevertheless, if on a contested subject one party should be obstinately bent on recording a defective and false account of contemporary events, it would become a duty incumbent on the other to publish a full and true history of them; especially if the misrepresentations in question should regard the interests and truths of religion, and should be seen to palliate and defend past irreligious conduct for the sake of continuing it in the future."

It thus appears that the *Supplementary Memoirs* were admittedly written for a controversial purpose, and they were in Milner's usual controversial language. They ought therefore to be read in conjunction with a statement on the other side in order to arrive at an accurate estimate of what took place. It is just in this that the difficulty has been felt: for while the other bishops did not wish to identify themselves with Charles Butler's views, from motives of charity, they never wrote themselves in reply to Milner. Hence their side of the case has never been fully stated in print, and several subsequent writers have accepted Milner's account as though it were accurate history. Even his complaints against his episcopal brethren, which he repeats in his *Supplementary Memoirs*, have found wide credence among Catholics of later generations.

It is also characteristic of Milner's argumentative style of writing that in cases in which Charles Butler had purposely curtailed his description of events of a partizan nature, this very restraint should have been made a matter of complaint against him. Thus, for example, he had omitted all mention of the earlier Catholic Committee, which sat from 1782 to 1787, and treated the doings of the second committee, elected at the latter date, very shortly. At this Milner writes:—[1]

"Why is the prior existence of the Committee so called concealed from the public? Was it from the historian's ignorance of the fact? But he himself acted as secretary to the first junta, and was complimented by it with a piece of plate to the value of £50, and £20 to his clerk, for his services rendered to it. Was it because this pretended Committee of Catholics had no commission whatever from any one but themselves? Or was it because they did nothing in our affairs of sufficient consequence to be mentioned? But unfortunately the writer has in his hands pregnant proofs to the contrary."

In consequence of this passage Butler wrote a short account of the original Catholic Committee, which he inserted in subsequent editions of his work.

Milner added an "Additional Appendix" with respect to the copy of the Protestation of 1789 deposited in the British Museum. He repeated the accusation that Charles Butler had deposited a "spurious copy," and reported that he had himself

[1] P. 47.

deposited a number of other papers, which he enumerated, in order officially to counteract the supposed effect of the Protestation.

The appearance of the *Supplementary Memoirs* could not but revive recollections of past disputes and dissensions, of which most Catholics were heartily sick and tired. Indeed many of the earlier events—those connected with the Act of 1791—had been almost forgotten. If it had not been for the numerous articles in the *Orthodox Journal*, they would probably have passed completely out of mind. The only consideration which could justify the revival of them would be the necessity of correcting any mis-statements in Butler's *Historical Memoirs*. Whether such mis-statements were serious enough to warrant a publication which necessarily aroused so much ill-feeling, is a question on which there was at least room for two opinions. Dr. Poynter felt the evil acutely. He wrote to Dr. Kirk as follows:—[1]

"It hurts me to go back to these things, but Bishop Milner and Mr. Charles Butler unhappily keep them alive. What a scourge has Bishop Milner been to us since 1810! Abbé Carron has often said that it was a calamity for the English mission that he was ever made Bishop. How many hundreds and hundreds of hours has he made me lose in endeavouring to prevent a breach of communion between the Irish bishops (deceived by Bishop Milner) and Bishop Douglass, and the total subjection of our missions to them, and also to preserve peace among ourselves. I am far from insinuating that Bishop Milner was actuated by any bad intentions, he no doubt thought he was acting right, but his zeal was not *secundum scientiam*. How miserable it is that we should be tormented with such internal disturbances when all our force should be united in promoting the great cause of our common Master. From 1810 the other Vicars Apostolic have been silent under all the injuries done to their official characters and authority by his mis-statements, and have chosen rather to suffer the reproaches unjustly cast upon them than to make these questions the subject of tea-table talk or to subject them to the discussions of the common people. . . . But I will leave this miserable subject, and pray that Bishop Milner may have better employ-

[1] *Kirk Papers* (Oscott), vol. iii.

ment in the spiritual concerns of his district than the employment of disturbing us. I wish he had half as much to do as I have; he would have no time to write supplementary memoirs."

One result of Milner's book was to cause disquiet among some of the members of the Cisalpine Club. The Hon. Edward Stourton expressed his feelings to Dr. Poynter in the following letter:—[1]

"My Lord,

"In Bishop Milner's *Supplementary Memoirs of the Catholics* I find a degree of consequence attached to the Cisalpine Club, of which I as a member was not at all aware. I considered it as a Club of Roman Catholics not in any way connected at present with any objectionable principles, though its name, with reference to former transactions, might to some appear unadvisable. May I request the favour of a line from your Lordship to inform me in what light you consider it and how far its members may or may not have your sanction? I much regret that the present name should still be retained, as being offensive to many individuals, more or less connected with its origin; but I did not suppose that at this remote period its members were at all implicated with transactions to which the title owed originally its rise. Should, however, your Lordship suppose this in any indirect way to be the case, I should have no hesitation in withdrawing my name. . . .

"I remain, with much respect,

"Your Lordship's obedient humble servant,

"Edward M. Stourton."

"Thorpe Arch, Wetherby, *December* 21."

In his answer Dr. Poynter wrote as follows:—[2]

"It appears to me that you consider the Cisalpine Club (as it is in its present state) in its true light. We should wish to forget the origin of it, but I am fully persuaded that at present it is of a very different character and complexion from what it was at the beginning, that it is now nothing more than a convivial and friendly meeting of Catholic nobility and gentry, who are glad of this opportunity of seeing one another. And it does appear to me that the presence of those of our

[1] *Westminster Archives.* [2] *Ibid.*

body who are the most distinguished by their sincere attachment to their religion and by their exemplary conduct is the best means of making it in the eyes of all an unobjectionable and respectable meeting of Catholics. I certainly do regret with you that the offensive title should still be retained, though I consider it in the present character of the meeting to be an empty name, a *titulus sine re*. I am sorry that the original meaning of it should not be permitted to sink into the darkest oblivion. Though it would give me pleasure to see that empty title silently dropt, yet I should fear that an attempt to put it down might make a noise and disturb our peace. I therefore think it most prudent to be quiet about it."

A few months after the appearance of the *Supplementary Memoirs*, Charles Butler issued a closely printed pamphlet which was evidently intended as a counterblast, consisting of the full text of the "Apologetical Epistle" composed by Dr. Poynter during his visit to Rome in 1815, together with an English translation thereof. As to his motives for publishing it, he can speak for himself. Writing on January 21, 1821, he says:—[1]

"I—and I alone—am answerable for the publication of the 'Epistola Apologetica'. It came into my hands without the slightest concurrence of Dr. Poynter, and wholly without his knowledge. I believe he does not yet know how I became possessed of it, nor did he ever consent, nor did I ask his consent to the publication.

"My reason for publishing was to vindicate him from the foul charges which Dr. Milner and his collaborators have made, and are still making, against the excellent Prelate, both in England and abroad. It also weighed with me that I had great reason to suppose that the 'Epistola Apologetica' has never reached the Pope, and that very few even of the members of the Sacred Congregation have seen it. It came to me under circumstances which abundantly justified its publication, and after all, it is a public document upon a public business."

There is no definite evidence to show how Charles Butler came into possession of a copy of the document; but we shall probably not be far wrong in believing that he received it from Sir John Coxe Hippisley, who had recently returned

[1] *Archives of English College, Rome.*

from Rome. He had free access to the Archives of Propaganda, and finding the document there, he would have every motive to have it copied, and if possible to secure its publication. It appeared as a quarto pamphlet and copies were freely sent far and wide by post.

Dr. Poynter naturally regretted the publication of what he regarded as a private document, intended only for the eyes of his superiors at Rome. Had he meant it for the public eye, it is fair to suppose that he would have expressed some parts of it rather differently. In the following letter to Dr. Gradwell he gives his feelings on the subject:—[1]

"Charles Butler, by some means or other, I do not know how, got a copy of my 'Epistola Apologetica' to Cardinal Litta, and he has published it. I had nothing to do with the publication; he did not ask my consent. He considered it as a public document, not my private property. There are inaccuracies in the printing. He has also left out all my references to my vouchers, and also some testimonies which I had inserted in the body of my letter.[2] I do not know what effect it will have. It seems to me that by this Mr. Butler has placed me between himself and Dr. Milner, so that all the red-hot balls may now hit me. I never imagined that this would be made public; but as it is, it will serve as a counter-statement of the history of our Fifth Resolution and other transactions so miserably misrepresented in Dr. Milner's pamphlets and articles."

We have already spoken of the contents of the "Apologetical Epistle," and of the fact that it was considered the strongest document against Milner that had been published. The *Orthodox Journal* published an editorial article on it, entitled "Defence of the London Vicar Apostolic against an Extraordinary Letter lately published under his name," from which title it of course appears that Mr. Andrews believed it to be a forgery. He declared that the whole was composed by "some vile incendiary," or "some infidel protesting Dissenter, some hypocrite, whose aim is to strike a blow at the Catholic religion by representing some of its highest ministers

[1] *Westminster Archives.*

[2] These *pièces justificatives* of Dr. Poynter are among the archives of the English College at Rome: several of the more important have been printed in Appendix C of this work.

as the retailers of falsehood to their sovereign master, the visible Vicar of Christ". Bishop Milner took up the same curious position. He published some *Additional Notes to the Supplementary Memoirs*, to which he added a "Letter to the Editor of An Apologetical Letter to Cardinal Litta, from a V.A. of the Southern District against the (supposed) Charges of a V.A. of the Midland District". He begins by declaring that it could not possibly have been written by Dr. Poynter, as "no Prelate of common sense" could have published it in Dr. Poynter's circumstances, for in it he calls for a sentence from the Roman Congregation which he never obtained. Milner adds that he feels "the utmost repugnance to believe that any good Christian or honourable man was capable of whispering into the ear of their common superior so many and such gross falsehoods against his brother as are contained in it". He also says "coming as I am persuaded it does from a person against whom so much literary fraud has been proved in the *Supplementary Memoirs*, I receive the Epistle itself with no small degree of suspicion of its authenticity . . . which remarks I address to you, Sir, as by adopting and publishing it, though you should not have written it, you make it your own".

This style of language is continued throughout. "If the Epistle," he says,[1] "were as evidently grounded in truth as it is in falsehood, it would little or nothing help the cause of Mr. Butler," whom he accuses of "falsifying our history during the last 300 years, and incessantly undermining our religion with his new Principles and Protestations and Oaths and Misnomers and Resolutions and Bills of Schism and Persecution which he has been contriving and promoting against our orthodoxy, our peace, and our religious freedom during these thirty and more years". He repeats his old accusation about the Protestation deposited in the British Museum, saying that Butler "stands degraded in the republic of letters and the company of gentlemen for palming a counterfeit Record on the British Museum as the original, and tacking to it the signatures of 1500 Catholics stolen from the former". Then he speaks again of "those Tavern meetings at the begining of the year 1810, which through the manœuvring (or

[1] P. 337.

jockeying as they termed it) of Mr. Butler and his agents entangled some of our Prelates in an inextricable thraldom, sowed endless divisions among the Catholics of both islands, and dragged several of them to the very brink of schism". He adds,[1] "it would require a work as voluminous as the whole of your late *Memoirs* to refute all the false reasoning, false statements, and obloquy contained in this list of charges under the name of an Apology, which you represent (falsely, I hope) as having been whispered into the ear of a great and powerful Cardinal."

Then he ends with the following appeal to Butler :—

"Think of your pious father and saint-like uncle, and henceforward employ your talents, natural and acquired, in protecting, not in subjugating the Church to which you belong. . . . Act this straightforward and conscientious part, and our Churches of both Islands will then begin to hail your name and will raise monuments to your memory, and, what is more to your purpose than all this, you will then enjoy comfort in your own bosom, and taste the delicious benefits of our holy religion. I may add that I pledge myself to perform what I promised before you published the late edition of your *Memoirs*, namely I myself will stand forward among the warmest of your panegyrists, and will never mention your name without respect and praise.

"But," he continues, "if no such change should take place in your dispositions and conduct, I foresee a speedy renewal of the storm of 1813. A bill of pretended Emancipation, but of real slavery, will again be patched up between yourself, with two or three of your confidants, and the same number of Protestant politicians. Again will the Catholic body be amused with empty speeches and vain hopes, to get their money and support; again will every lawful means be employed to blindfold and deceive our Prelates and Rome itself. Finally, when the fatal blow is struck, and we are reduced to the state of the religious Catholics of Belgium, it will be falsely maintained that the whole work of destruction was the sole act and deed of an omnipotent legislature."

The above language becomes the more remarkable when we remember that Charles Butler had nothing to do with the

[1] P. 347.

writing of the "Epistola Apologetica," and that his name is not mentioned in it, from beginning to end. Dr. Poynter felt strongly the unfortunate effects of this style of writing.

"I do lament the publication of the 'Epistola Apologetica,'" he wrote to Dr. Kirk,[1] "and of Bishop Milner's *Additional Notes*. I am the victim of all this. . . . My 'Epistola Apologetica' was written to answer and remove the prejudices which Bishop Milner had excited in Rome against us at the time. . . . I shall never publish a word, and I most ardently wish some friend could be found to dissuade Dr. Milner from publishing any more on such matters. . . . I little expected Dr. Milner would publish such a groundless and injurious insinuation. I forgive him, shall pray for him and leave the rest to Almighty God."

Charles Butler did not directly answer the *Additional Notes;* but in his third edition of the *Memoirs* he added a few comments on some of the accusations against Dr. Poynter which Milner complained had not been dealt with in the "Apologetical Epistle".

Before leaving the subject of the *Historical Memoirs*, a few words must be added about a pamphlet called *Roman Catholic Principles with regard to God and the King* which was reprinted by Butler in each of his editions. The authorship of the pamphlet is unknown; but it dated from somewhat before Gother's day, for he was said to have reprinted it several times. The Cisalpine party had always had a great liking for this pamphlet, for it put several of their favourite principles in forcible language. The author denies that the Infallibility of the Pope was any article of faith—and of course at that date he was correct in so speaking. He proceeds to deny him "any direct or indirect authority over the temporal power and jurisdiction of princes," so that he contends that "if the Pope should pretend to dissolve or dispense with his Majesty's subjects from their allegiance on account of heresy or schism, such dispensation would be vain and null; and all Catholic subjects, notwithstanding such dispensation or absolution would be still bound in conscience to defend their king and country, at the hazard of their lives and fortunes (as far as Protestants would be bound), even against the Pope himself, in case he

[1] *Kirk Papers* (Oscott), vol. iii.

should invade the nation". And the so-called "king-killing doctrine"—*i.e.*, that a king excommunicated for heresy may be murdered—he rightly denounces as "impious and execrable". The remainder of the tract calls for no special comment: it is a fair statement of Catholic belief about certain matters as against Protestants, though always with a tendency to Cisalpine or Gallican doctrine.

For the same reasons that Butler and the Cisalpines approved of the little treatise, Milner and the other vicars apostolic viewed it with suspicion. In the days of the Catholic Committee they had refused to accept it as the official statement of their position, even though they had not found anything worthy of actual condemnation in it. In 1813 a new edition was brought out under the joint editorship of Dr. Kirk and Joseph Berington, the title given to it being *The Faith of Catholics*. Some modifications had been insisted on by Dr. Poynter as Berington's bishop; and Milner—who was Dr. Kirk's bishop—wrote a pastoral in which he declared that it was "not an accurate exposition of Roman Catholic principles, and still less the Faith of Catholics". When Butler reprinted it in his *Historical Memoirs*, Milner issued a second pastoral; and later on he took further steps. In his pastorals, however, he overstated the case against the tract; declaring that it was "an inadequate statement of Catholic belief, seeing that it contained no reference to the essential doctrines of the Trinity and the Incarnation". This accusation meets with a ready answer, which Butler was not slow to see; for the tract was written avowedly as a statement of Catholic doctrine as against Protestants, and the two dogmas mentioned being ground common to both did not call for explicit mention: but it must not be supposed that the writer had any doubt about those two dogmas, for they are assumed throughout. Milner made several attempts to have the tract condemned in Rome, but without success; and it has since been reprinted more than once without being censured, the last time having been in 1846.

We close this volume, therefore, with the unfortunate disputes between Milner and Butler in no way approaching settlement: indeed, further bitterness will have to be chronicled later on, leading eventually to an appeal to Rome. But in the meantime the state of affairs in the Eternal City had under-

gone a great change so far as the interests of English Catholics were concerned, when a new figure appeared on the scene in the person of Dr. Gradwell, who rapidly gained influence among the authorities there, and proved a tower of strength to the vicars apostolic. The account of his work and career will form the subject of several chapters in the third volume.

APPENDIX TO VOLUME II.

APPENDIX E.

THE QUARANTOTTI RESCRIPT.

Letters of Bishop Poynter to Rev. Paul Macpherson.[1]

In view of the excitement created by the Quarantotti Rescript, and of the fact that it was said to have been the outcome of letters written by Bishop Poynter to Rev. Paul Macpherson in the summer of 1813, it will be of interest to give the full text of the letters which he actually wrote, as well as Milner's translation of part of the Italian "Ristretto" which professed to be an analysis of them. An imperfect copy of the "Ristretto" is still preserved in the Archives of Propaganda. It contains considerably more than Milner's extracts. It has not been thought necessary to give it in full: it is sufficient to say that Milner's translation is substantially accurate.

I.

Bishop Poynter to Rev. Paul Macpherson.

June 21, 1813.

Revd. and Dear Sir,

I hope you have received long before this the several letters I sent you since the 10th Decr. You must not be offended at my not writing sooner; such was the spirit of hostility at that time, that we did not think it safe to write to our Friends even on subjects so innocent and unconnected with politics, as the subjects of our letters. I wrote to you in January and in March. I sent duplicates of some of my letters. Those I have received from you are of the dates of 30 May, 27 July, 19 August, 24th Sept., 26th December (2nd copy of faculties, the first copy never received) and of the 7th March. But I have not received any of those copies you there mention, *viz.*, of letters to Drs. Troy, Gibson, Collingridge, Milner, etc., nor do I know that any of those gentlemen have received the letters you allude to. For all the faculties contained in the letter of

[1] See Dr. Poynter's letter books, in the *Westminster Archives.*

26th Decr. I beg to offer my most grateful and respectful acknowledgments to Monsgr. Quarantotti. I transcribed copies of what related to Dr. Collingridge, Dr. Cameron, etc., as well as of what was of a general nature and sent them to the respective parties, to Dr. Cameron with a request that he would communicate them to his confrere. For the whole I beg to repeat my grateful acknowledgments to you in which Dr. Collingridge and Gibson unite with me. In my last I mentioned to you that our petition for Emancipation had been most eloquently debated in Parliament, during four nights; we were sometimes up till five or six o'clock in the morning. In March we succeeded so far that it was voted that the House should take our cause into consideration in a Committee; Mr. Grattan, Mr. Canning, Mr. Ponsonby, Mr. Elliot and some others were appointed to prepare the clauses of a Bill for our relief. A bill was prepared by which Catholics were to sit in the House of Lords and the House of Commons, Catholics were to be admitted to high offices of command in the Army and Navy, to be admitted to the offices of Civil Magistrates and into all lay corporations, but no Catholic was to be Lord Lieutenant of Ireland, nor Lord Chancellor, nor to be judge in any Ecclesiastical Court, nor to present to Protestant Church-livings. On the part of the Catholics it was required that they should take an oath of allegiance which was very long, being composed of the Oaths already taken by the English or Irish Catholics, with some changes for the better in the Irish oath. It was, moreover, required that the Clergy should take an oath, not to concur in the promotion of any person to be Bishop or Vic. Ap. in Ireland or England, whom they did not judge to be a loyal and peaceable man, and also not to correspond with the Pope or any Tribunal at Rome, or any foreign ecclesiastical superior except on matters purely spiritual and ecclesiastical. But two Boards of Commissioners were to be appointed for attesting the loyalty of persons to be Bishops, and for inspecting correspondence with Rome. For the purpose of *attesting the loyalty* and peaceable conduct of those to be Bishops, it was proposed in the first sketch of the Bill that the Board should consist of five English Catholic Lords for England and five Irish Catholic Lords for Ireland; That the person nominated or appointed to be Bishop should signify his nomination to the Secretary of the Board, that the Board of Commissioners should meet and declare upon oath, that they did not know anything to impeach the loyalty and peaceable conduct of the person nominated. If they gave such a testimony, the person was to be allowed to exercise all his spiritual functions of Bishop. If they refused to grant the testimony of loyalty the person could not assume the exercise of his spiritual functions, without being liable to

be sent out of the Kingdom, in case he should be convicted by law. It is said that Dr. Troy objected to this when he heard of it, unless five Catholic Bishops were in the Board, as well as five Catholic Lords. A change was then made in the plan. The Board was to consist of Catholic Bishops, Catholic Lay Lords, and two privy councillors of his majesty. The judgment of this Board concerning *the loyalty and peaceable conduct* of the person chosen to be Bp., was to be laid before the King, who with the advice of these Commissioners was to express his approbation or disapprobation of the person to be Bp. within ten days. If he disapproved of him, the person could not assume the exercise of Episcopal functions without being liable to be sent out of the Kingdom. On this subject it must be observed that the only thing the Commissioners have to do is to *give a testimony of the loyalty and peaceable conduct* of the person nominated or appointed to be Bishop. The framers of this Bill declared that they would not touch the Ecclesiastical part of it either with regard to election, nomination, appointment, consecration, jurisdiction, etc. I objected to one of the framers of the Bill that a clergyman would be in a bad state if the testimony of loyalty or approbation of the King should be refused after his appointment at Rome, or even after his election in Ireland. The answer was, the Bishops and the Pope may easily provide against that by procuring a testimony of loyalty before they proceed so far. When I objected that the words peaceable conduct were too wide and undefined, the member of Parliament told me that Dr. Milner had suggested the terms *peaceable conduct.* The members of Parliament are so instructed by our Friend Sir John C. H. in the practice of all the courts of Europe, Protestant as well as Catholic, relative to the interference of the Crown in the appointment of Bps. that they are not to be moved. They say that they will not let a disloyal man or one who is not of peaceable conduct exercise an office of such influence on the people in England or Ireland, as that of a Bishop. With respect to the Commission for the inspection of letters from Rome, it was to consist, according to the first plan, of five Catholic Lay Lords, of the Lord Chancellor; and a Privy Councillor, and also of the Vicar Ap. of London for England, and of the Archbps. of Armagh and Dublin for Ireland. They were to inspect them before published, to see whether they contained anything treasonable; unless they were of a private nature, in which case the Bishop or person receiving the bull or dispensation, was to declare upon oath that the letter or Brief related wholly and exclusively to spiritual concerns and does not contain anything interfering with the allegiance of his majesty's subjects. In this case the Commissioners might leave the letter

without inspecting it to be executed by the person who had received it. But it was observed to one of the members who composed the Bill, that in that case it should never be lawful for the Commissioners to inspect such a letter. He said there might be cases when Government might have just reason to suspect that something treasonable might be contained in the letter. Then, however, to secure government on one side and the secrecy of the *forum internum* on the other, he agreed to change it, so that when Government should have reason to suspect this, the letter should be inspected only by one of the Catholic Bishops who should be members of the Commission, and who should be under an oath of secrecy and should send the letter back to the person who received it, unseen by others, if it contained nothing treasonable, but should disclose it to his majesty's Governmt. if it should contain anything treasonable. And this was the second state of the Bill, with respect to the Board to be established to inspect correspondence with Rome.—Amongst the enactments there was one, saying that no Roman Catholic not born of British or Irish Parents, or who should not have resided in the United Kingdom 5 years before his election, should be capable of exercising Episcopal duties or Functions within the United Kingdom, on penalty of being sent out of the Kingdom. This was the substance of the Bill. On the great debate in the Committee it was lost. Mr. Abbot the speaker objected to the admission of Catholics into Parliament; and his motion for their non-admission was carried against us by a majority of only four. There were nearly five hundred Members in the House. When that point was lost, Mr. Grattan, Mr. Canning and our other advocates abandoned the rest of the Bill and would have no more to do with it. Bp. Milner sent me a note about two days before the Clauses of the Bill were known, asking me to join with him in openly opposing the Clauses. I told him I could not before I knew them. He published a Brief Memorial which he circulated on the day of the debate, to which besides saying things offensive to our Catholic Lords and Gentlemen, he declared that no Catholic could consistently with his Religion accept of or act under the Commission for attesting the loyalty of Catholic Bishops, according to which the person to whom the certificate of loyalty or peaceable conduct should be refused would not be allowed to exercise Episcopal functions here. He pronounced it an act of schism by word or act to concur to such a clause. It should be observed that this clause was the act of the Legislature, not of Catholics. And the question is whether we could submit to this penal law; and whether it would be an act of schism for a Catholic Peer or a Catholic Bishop to act as a Commissioner merely for the purpose of ascertaining the loyalty of the person nominated to be Bishop. The Catholic Gentlemen and Noblemen of England were

so displeased with Dr. Milner, that they excluded him from their Board appointed to forward our Emancipation. Sir Jno. Coxe Hippisley was so offended by one of Dr. Milner's publications, that he printed and circulated Dr. Milner's letters and correspondence in which he abuses the Court of Rome, solicits Sir John's influence for his being made Vicar Apostolic, abuses the Irish for not admitting the Veto, etc. It is a very strange collection of letters. The Irish Bps. have declared that without the guilt of schism, a Catholic could not accede to the clauses of the Bill, prepared but now rejected. Perhaps by *acceding*, they mean consenting to and approving of some of the clauses; but they do not say that no Catholic can *submit* to them. The Bishops do not point out any particular clause. I will send you a copy of the Bill, and probably shall have to propose to you some questions that we may have a rule to follow; that we may be prepared to say, next Session, what can or cannot be admitted or be even submitted to. We were apprehensive that the clause enacting that no person, not born of British or Irish Parents, should exercise Episcopal functions here, would seem a restriction on the power of the Pope. *We* could not enact or consent to such a law; but could we not submit to it, and accept of Emancipation by a bill which contains such an Enactment? We wish to be prepared to meet Parliament. The Irish People are in many places very violent. There are powerful parties amongst them; there is one faction loud for Emancipation, but which does not wish for it, because if it were granted it would defeat their views, who wish only to separate Ireland from England. Because the English Catholics are more quiet and conciliatory, we are considered as a people ready to abandon our Religion for the sake of getting a few Peers into Parliament.

Mr. Hodgson and Mr. C. unite with me in every kind wish.

I am,
Rev. Sir,
Your hbl. sert. in Xt,
WILLIAM POYNTER.

C. ST., *June* 21, 1813.

Recommend us to your good sister Mary Agnes.
Please to write as soon as possible.

II.

THE SAME TO THE SAME.

CASTLE ST., *July* 18, 1813.

REVEREND AND DEAR SIR,

I wrote to you about the beginning of June, giving you an account of the nature and success of our Bill for Emancipation.

I request you to consider it, and to prepare to answer some questions which in about a fortnight I shall have to propose to you on the subject. The difficulties which we apprehend will occur in the next bill will relate chiefly to two points, *viz.* the mode of procuring a testimony of the allegiance and good conduct of the person elected to be bishop and the inspection of our correspondence with Rome. From the account which in my last I gave you of the clauses of the late bill, you may judge of the nature of the difficulties we shall have to meet. There may be certain points in the Bill which we could not assent to or approve of without the consent of His Holiness, but in the present state of affairs the question will be whether we may accept of Emancipation under the operation of a Bill which includes parliamentary enactments of the nature of penal laws which we cannot indeed approve of as Catholics, but, however, penal laws lighter than those which are abrogated. They will be chiefly such as forbid any person to exercise episcopal faculties here who is not a British born subject, under pain of banishment, or who has not obtained a testimony of loyalty and peaceable conduct; also such as forbid us to receive any Bull, etc., from Rome, without submitting it to the inspection of a Committee appointed by the King unless it relate to the *forum internum*. This condition relating to the exercise of episcopal functions may be considered as restrictive of the power of the Pope to send Bishops to England or Ireland, or as affecting the present discipline or practice in the appointment of Bishops in Ireland, and of course such as could not be acceded to without the consent of the Pope, but if Parliament enact such a condition, might we not *submit* to it as we are obliged to submit to many things penal and restrictive? Bp. Milner and the Irish Bps. have pronounced that to accede to the clauses I have alluded to would be schismatical—I suppose because the consent of the Pope is not obtained: but after all I do not dare to say that it would have been schismatical to submit to them. The Irish Catholics are very violent and show a very strong spirit of resentment against everything that is English. I do not wish an answer to these questions *yet*, I only throw them out for your consideration and to prepare for my next.

I have not received any of the copies you mentioned in yours of the 7 March of the letters you sent to Dr. Troy, Dr. Gibson, Dr. Collingridge and Dr. Milner, nor do I know that any of those gentlemen have received the letters you allude to. I mentioned in my last that Dr. Milner's correspondence with Sir John had been published by Sir J. It shows to the world what means Dr. M. employed to be made Bp., what he wrote concerning the Court of Rome in favour of the Veto against the Irish Bps., etc. Indeed, there are few characters

whom he has not abused in their turns. He continues to injure me without intermission in a manner which I feel myself obliged to complain of. He comes into the London District and not only talks against me, but here propagates new pamphlets which he has written against me. He has lately published two, which I suppose will be sent all over the Church as his former one was. These two contain over again the misstated histories of Blanchard, Trevaux, etc. The tendency of them is to show that schism is countenanced in the London District, and the ulterior meaning of the whole is to show that no one can govern the London District but himself. But I do complain of his distributing these libellous pamphlets against me in the London District as most irregular and uncanonical, tending to injure my character and authority. I act always with the best advice; my labours this past year have much impaired my constitution which before was very strong. What I have done has the approbation of Bps. Gibson and Collingridge who are perfectly of one mind with me, but Bp. Milner censures everything and holds me out to my District and to the Church as a favourer of schism. I am willing to answer for the whole of my conduct to my ecclesiastical superiors and I trust I shall give satisfaction; but in the meantime I have a right to my character in the Church of God and my District. I can demonstrate that very many of Dr. Milner's statements are absolutely false, he has excited a prejudice against me in some of the Irish Bishops which I shall never remove so long as they are so blindly attached and subservient to him. He has identified himself with them. I find by letters from Spain and Portugal that scandal is taken at the dissensions between me and Bp. Milner; the case is that I have gone on doing my duty and not opposing him whilst he has been attacking me in his conversation and writings, and has thus excited an idea of a kind of schism between us: he is so violent and will have everything his own way that it is impossible to act in conjunction with him. . . . I am absolutely overwhelmed with business which increases upon me every day,

Your humble servant,

William Poynter.

III.

The Same to the Same.

July 24, 1813.

Revd. and Dear Sir,

I have informed you that a Bill was prepared but rejected in the month of May last relative to our Emancipation. It was accompanied with such conditions and restrictions that we re-

joice that it did not pass in the form in which it appeared. Parliament appears not to be disposed to grant Emancipation without some conditions or restrictions upon Catholics. As the important question will probably be brought on early next session, it is the earnest wish of the noblemen and gentlemen composing the Catholic Board, that when the Bill shall be prepared, they may be instructed by their Bishops whether the conditions and restrictions attached to their Emancipation can be admitted or submitted to. It must be observed that these conditions and restrictions are not proposed or chosen by Catholics, but imposed on them by the enactment of the legislature. We suppose that they will be of the nature of those which were contained in the Bill that was rejected in the month of May, though we hope they will be mitigated and softened. That you and your friends may form an idea of their nature, I will give you a sketch of the conditions and restrictions of the late Bill. (1) A long oath of allegiance and of renunciation of certain noxious tenets was required, which oath is composed of the different oaths already taken by the English or Irish Catholics, with some change in the Irish Oath for the better. (2) The Clergy were required to swear that they would never concur in or consent to the appointment or consecration of any Roman Catholic Bishop or Dean or Vicar Apostolic in the United Kingdom, but such as they shall conscientiously deem to be of unimpeachable loyalty and peaceable conduct; also that they will not have any correspondence or communication with the Pope or See of Rome tending directly or indirectly to overthrow or disturb the Protestant Government or the Protestant Church of Great Britain and Ireland, or the Church of Scotland as by law established; also that they will not correspond with the Pope or See of Rome, etc., or with any other foreign ecclesiastical authority on any matter or thing not purely spiritual or ecclesiastical. As by this Bill we were to be further permitted to exercise the Catholic religion and preach the Catholic doctrine, I presume that the words *overthrow* and *disturb* can only be understood of external violence *vi et armis*. (3) It was to be enacted that no Roman Catholic who is not born of British or Irish parents should be capable of exercising episcopal duties or functions within the United Kingdom, on penalty of being sent out of the Kingdom, when convicted thereof by due course of law: the same is said of those bishops who have not been resident within the United Kingdom during the five years next preceding their election. This can only mean legally capable or permitted by law to exercise these functions. But the principal enactments related to the testimony to be obtained of the loyalty and peaceable conduct of Catholic Bishops and Deans, and to the nature and extent of the intercourse between His Majesty's Catholic subjects and a foreign power, in

order to guard against any danger to the State. By a law now existing our correspondence with Rome may be punished by death.

For these objects two commissions were to have been appointed, one in Great Britain and one in Ireland, consisting of Roman Catholic Bishops, lay Roman Catholic Peers, and Privy Counsellors, amongst whom one of His Majesty's principal secretaries of State was to be one. Five of these commissioners were to form a Board, provided there be one Catholic Bishop, one Catholic lay Peer, and one Protestant Privy Counsellor present.

This commission might have been changed and renewed from time to time at the will of His Majesty, yet so that it was always to consist of Catholic Bishops, etc., as above. The Commissioners were to take an oath that they would execute and perform the duties of a Commissioner, without favour or affection, prejudice or malice to any person whatsoever, faithfully and impartially, and to the best of their judgment and discretion, also that they would not make known except to His Majesty anything which might come to their knowledge in consequence of being a commissioner. The Commission might appoint secretaries or clerks who were also to take an oath of secrecy.

It was then proposed to be enacted that no Roman Catholic priest of Great Britain or Ireland (except such as are already in the exercise of such functions) should assume the exercise of episcopal functions or the functions of a Dean whose name shall not have been previously notified to the President of the Board of Commissioners, nor until he should have received the signification of His Majesty's approbation or of the Lord Lieutenant in Ireland. The President was immediately to lay the name of the clergyman (intended to exercise the functions of Bishop or Dean) before the Board of Commissioners who within six weeks were to report to His Majesty in writing under their hands and seals "whether they know or believe anything which tends to impeach the loyalty or peaceable conduct" of the clergyman proposed. Upon such report, His Majesty or the Lord Lieutenant might by and with the advice of the said Commissioners approve or disapprove of the said clergyman, which approbation or disapprobation of His Majesty was to be signified to the said clergyman by the Secretary of State within ten days, and to be enrolled in His Majesty's Court of Chancery. It was then to be enacted that whoever should without the aforesaid notification and approbation presume to exercise any duty or function of a Bishop or Dean within the United Kingdom should be guilty of a misdemeanour, and upon conviction be liable to be sent out of the Kingdom.

So far on the testimony of the loyalty and peaceable conduct of those who are to be elected Bishops and Deans.

Then with respect to any bull, dispensation or other instrument

from the See of Rome or from any foreign person or body whatsoever or from any person or body whatsoever in foreign parts acting under the authority of the said see or under that of any spiritual Superior, it was to be enacted that the person or persons receiving the same should within ten days after the receipt deliver the same in the original to the President of the Board of Commissioners by this Act appointed in Great Britain or Ireland respectively to be laid before the said Board for inspection. If the Board of Commissioners should find it not to contain anything injurious to the safety or tranquillity of the United Kingdom or the Protestant Establishment in Church or State, they were to report the same to His Majesty: the instrument was to be enrolled in the office of one of the Secretaries of State, and to be returned to the person by whom it had been received and submitted to the President of the Board for Inspection.

But if the person receiving such a bull or instrument from Rome, etc., should certify by writing to the President of the Board that he has received such, and that it relates wholly and exclusively to the personal spiritual concerns of an individual or individuals, that he conscientiously believes he cannot according to the discipline of the Roman Catholic Church submit it to lay inspection, and should verify the same upon oath, in that case it was to be lawful for the said Board of Commissioners in the exercise of their judgment and discretion to direct the said instrument to be transmitted sealed up for the sole inspection and verification of the senior ecclesiastical Commissioner (the Catholic Bishop) belonging to the said Board, who was to inspect the same, and if he should declare it upon his oath to be wholly of a spiritual nature as described, the same was to be reported to His Majesty and the instrument to be returned sealed up to the person who had received it, after being endorsed by the Catholic Bishop alone, and without being enrolled or submitted to any other inspection whatever.

Those who conform to the foregoing directions in respect to bulls, etc. were to be exempt from all penalties of existing laws against intercourse with Rome, but persons not conforming were to be guilty of a misdemeanour, and upon conviction in lieu of all penalties of existing laws were to be liable to be sent out of the kingdom.

Such were the enactments prepared relative to our correspondence which you may see extends to the correspondence of religious with their superiors in foreign countries, of which I find some great men are particularly apprehensive.

You must know that the strongest prejudice which is now held against us and made the great objection against our Emancipation is what they call our admission of a foreign jurisdiction in spirituals and in temporals. We distinguish between jurisdiction in spirituals and

in temporals, and say that whilst by the faith and essential discipline of our Church we must and do admit the spiritual jurisdiction of the Pope in spiritual and ecclesiastical matters, we do not admit in him any jurisdiction in England in civil and temporal matters. But with this which we declare upon oath, they are not fully content: they say they will have further securities against the interference of Rome in temporal matters at least to satisfy the prejudices of the people, especially as a Pope may be chosen who may be under the influence of the enemies of Great Britain. These groundless apprehensions serve as a pretext for insisting on what are called securities, such as are contained in this Bill: they support themselves in these demands of such securities by the example of the different States of Europe, Protestant as well as Catholic, which, they say, have made laws to exclude foreigners or disloyal persons from being Bishops, and also to inspect the Bulls, Briefs, rescripts, etc., from Rome. They add that the Catholics of those countries have at least submitted to such laws without being guilty of schism. They have declared that in admitting Catholics to the privileges of the State and to the more full exercise of the Catholic religion, the British Parliament will make such laws relating to the ascertaining the loyalty of Bishops and to our correspondence with Rome as the Sovereigns of other States have made, and that the British Catholics must submit as the Catholics of other countries have submitted to them. The noblemen and gentlemen of the British Catholic Board, having declared their determination not to do anything inconsistent with the faith or duties of the Catholic religion, beg that all necessary information may be obtained relative to these subjects, and hope that their Bishops will be prepared to direct them what they may conscientiously do in this regard, when the Bill shall be brought forward again. You see that the two principal points of the difficulty relate to our King's refusing to let foreigners, or those in whose favour a testimony of loyalty or peaceable behaviour is not obtained, exercise the office of Bishop or Dean in the United Kingdom; also to the inspection of bulls or other instruments from Rome which do not relate to the *forum internum*. If Emancipation is granted to Catholics by a Bill of Parliament containing enactments and clauses of this nature, can Catholics submit to these clauses and accept their Emancipation on such terms? Shall we be guilty of schism if we submit to the exercise of this power in the King without our having first obtained the consent of His Holiness? What are we to do if Parliament pass a law to this effect, if Catholics are eager to avail themselves of Emancipation on these terms and there be no time to consult Rome? Are we to tell them you must not accept of Emancipation nor submit to those laws? If the laws be such as we might *submit to*, and we were to oppose Emancipation, the conse-

quences would be dreadful. Can you obtain all the consent which is necessary on the part of the Apostolic See; at least pray send us instructions and directions on this subject as soon as possible.

With most humble respects to Mr. Q.
And every kind sentiment,
I am, Yours, etc.,
W. POYNTER.

July 24th, 1813.

IV.

THE SAME TO THE SAME.

August 24, 1813.

REVD. AND DEAR SIR,

On the 24th July I wrote to you giving a sketch of the Bill that was prepared for our Emancipation. I send you under two covers a full copy of the same, that you may judge of the conditions that were to be imposed upon us. The Bill was properly withdrawn because the proposal of admitting Catholics into Parliament was negatived by a majority of four. Our advocates would then have nothing to do with the rest. The difficulties of the Bishops will be very great when the cause is agitated again: on one side Parliament insisting on English Catholics submitting to such interference of the civil power relative to the loyalty of Bishops and the correspondence with Rome as is submitted to by Catholics in other States uncatholic as well as Catholic: on the other side our Catholic noblemen and gentlemen eager for their civil privileges on terms that can be submitted to without real prejudice to religion. The Irish (at least a party) will have no conditions; the English say—Are we to be excluded on account of the objections of the Irish which may be drawn more from national prejudices than from real principles of religion? If the only difficulty of admitting the conditions of the King's having a negative on the appointment of those chosen to be Bishops in favour of whom a testimony of loyalty is not obtained, and of a control of our correspondence with Rome, which does not relate to the *forum internum*, be that the consent of the See of Rome is wanting, they beg that the consent of the Apostolic See may be humbly solicited. In all appearance our Government will legislate conditions on these two points whenever the Bill passes: perhaps Sir J. C. Hippisley's plan may be in part at least adopted; then the chief difficulty will come—How far can we submit and act under this legislation without having first obtained the consent of the Apostolic See? And if there be not time to consult Rome, are we to tell the Catholics—You must not accept of Emancipation, nor submit to those conditions, till we obtain an explicit answer from Rome? If the laws were to be such as

we might submit to and we were to oppose emancipation, the consequences would be dreadful. Can you obtain all the consent which is necessary on the part of the Apostolic See? At least pray send us instructions and directions on this subject as soon as possible. I am going to spend some time with Bp. Collingridge, when we shall examine the subject; then I hope to see Bps. Gibson and Smith and the Scotch Bishops. . . . I beg my respectful and grateful sentiments to Mr. Q. With every expression of regard, etc.,

WILLIAM POYNTER.

LONDON, *Aug.* 24, 1813.

V.

RE-TRANSLATION OF THE "RISTRETTO".

From the *Orthodox Journal*, November, 1816, p. 432. Compare Milner's *Supplementary Memoirs*, p. 219.

June 21, 1813.

I wrote to you in my last that our petition for Emancipation was discussed with great eloquence in the House of Commons during four whole days, and we succeeded by a great majority of votes in getting it committed. Messrs. Grattan, Canning, etc., were deputed to prepare a bill, etc. On the part of the Catholics an Oath was required, etc. By another clause it was provided that no one could be made Bishop in these Kingdoms who was not born of British or Irish parents. This was the only clause which gave us [Vicars Apostolic] trouble, particular trouble, because it limited the jurisdiction of the Holy See. Accordingly we strongly protested that we could not agree to this limitation without the consent of Rome. The two first times that the bill was read we had a great majority of voices. On the day fixed for the third and last reading, [Bishop Milner] circulated among the members a hand-bill which he had written and printed, in which he inveighed against all the clauses of the bill, and particularly against that which required a Committee for attesting the loyalty of him who was to be made Bishop. He affirmed with great vehemence that no Catholic could directly or indirectly agree to that enactment without becoming *ipso facto* a schismatic. By this opposition and that of the Irish Bishops, the bill was rejected, etc.

Sir J. Hippisley, among our other friends, was so offended that to show the falsehood and calumny of [Bishop Milner], he published, etc., in which the latter makes a most pitiful figure, etc. The Irish Catholics make a great clamour, and seditious threatenings. You are already acquainted with the views of a great part of them, namely the total separation of Ireland from England. Notwithstanding the great uproar they make for the abolition of the Penal Laws, they

would be sorry this was granted, as then they would lose their pretext for making disturbances and inveighing against the Government. As to us, because we are quiet and pacific, we are considered and represented by them as persons ready to sacrifice the Catholic faith to get employments and seats in Parliament.

THE SAME TO THE SAME.

July 28, 1813.

I wrote to you last month that the bill for our Emancipation was on the third reading rejected by a majority of four voices, which to us [Vicars Apostolic] was a subject of great joy, as there were divers clauses in it which we could not admit without the consent of the Holy See. . . .

It is highly probable, as we said before, that early in the next sessions the bill will pass into a law, in which transportation will be the punishment of the refractory. How are we [Vicars Apostolic] to act? Ought they to tell all the Catholics of these kingdoms that rather than submit to the clauses of it, they ought to go all together into perpetual banishment, and leave Great Britain without a single Catholic inhabitant? We with God's grace will be obedient sons of the Holy See; if she tells us to go to the gallows, we will cheerfully go thither.

(The "Ristretto" ends with a letter from Dr. Poynter dated August 24, 1813, sending duplicates of his former ones: see *Archives of Propaganda*, Anglia, vol. 6.)

APPENDIX F.

MINUTE OF THE NEGOTIATIONS BETWEEN CARDINAL CONSALVI AND LORD CASTLEREAGH, AT THE CONGRESS OF VIENNA.[1]

FOGLI SEPARATI PER ESIBIRLI A LORD CASTLEREAGH MINISTRO INGLESE AL CONGRESSO DI VIENNA. NON FURONO DATI.

VERS la fin de l'année dernière 1813 fut présenté à la Chambre des . . . le projet d'un Bill relatif à l'émancipation des catholiques, sujets de la Grande Brettagne, dans lequel on exigeoit de la part des dits catholiques, pour pouvoir jouir de l'avantage de l'émancipation, les conditions suivantes, savoir :

1. Que le clergé devroit prêter un serment, dont la seconde partie portoit, qu'il n'entretiendroit aucune correspondance avec le Souverain Pontife et ses ministres, qui pût ni directement, ni indirectement renverser, ou troubler d'une manière quelconque le gouvernement ou l'église des Protestants.

2. Que le Roi pour s'assurer de la fidélité de ceux qui seroient promûs aux Evechés, ou Décanats, et vérifier s'ils étoient révêtus des qualités propres d'un bon citoyen, auroit nommé un comité chargé de les vérifier, et en faire rapport à Sa Majesté, et que pour les mêmes raisons tout étranger, ou non domicilié dans le royaume depuis cinq ans seroit exclu de ces dignités.

3. Que ce même comité séroit chargé d'examiner les lettres adressées par le pouvoir Ecclesiastique à quelqu'un du clergé Britannique pour vérifier s'il n'y eut été rien qui pût être préjudiciable au Gouvernement, ou troubler en quelque sorte la tranquillité publique.

Quelques différences s'étant élevés entre les Evêques Catholiques du royaume au sujet de ces conditions, le Prelát Quarantotti, qui (pendant l'absence de Rome du Souverain Pontife et de tous les Cardinaux qui composent la Congrégation de Propaganda Fide) faisoit les fonctions de Préfet de la dite Congrégation, jugea à propos d'addresser à Mons. Poynter, Vicaire Apostolique de Londres, la lettre, dont V.E. connoit la teneur, dans laquelle, ne dissimulant pas les

[1] *Archives of Propaganda :* Anglia, Vol. 6, f. 951.

obstacles qui s'opposoient à ce que les catholiques pûssent se soumettre en sûreté de conscience à toute l'étendue des conditions susmentionnées, dans le cas que le Bill eût été adopté dans les mêmes termes, donna (sans cependant en être autorisé) une sorte d'explication, et de décision, par laquelle il crut de les faire disparoitre. Ce but n'ayant pas été atteint par cette lettre, et une grande division parmi le clergé catholique régnant toujours, dont les Anglais et Ecossais d'un côté, et les Irlandois de l'autre, l'affaire a été déférée à Sa Sainteté presqu' aussitôt qu'Elle a été rendue à son Siège.

Le S. Père, à qui non seulement le bien de l'Eglise, mais la tranquillité publique aussi du Royaume de la Grande Brettagne est infiniment à cœur, quoique sa conscience et son devoir de maintenir intacts les principes de la religion catholique, dont il est le chef, ne lui aient pas permis d'approuver la lettre de Mgr. Quarantotti, attendu que les difficultés envisagées même par ce Prelat ne sont pas levées par cette lettre, a imaginé les moyens pour concilier les choses de manière, qui ne puisse laisser dans l'esprit du clergé et des fidèles catholiques aucune difficulté, et qui satisfaisant dans la substance aux vues du Gouvernement Britannique, en puisse mériter toute la satisfaction.

Quant à la première condition, Sa Sainteté considérant que c'est pour révoquer toutes les lois pénales établies contre les catholiques que le Gouvernement exige de leur clergé le serment dont il est parlé dans le Bill, déclare que, dans le cas que la dite révocation ait lieu, Elle permettra et prescrira même au dit clergé de faire le serment dans les termes suivants : Ego juro et promitto ad sancta Dei Evangelia obedientiam et fidelitatem Georgio III. Magnae Britanniae regi et legitimis successoribus ejus. Item promitto me nullam communicationem habiturum, nulli consilio interfuturum, nullamque suspectam unionem neque intra, neque extra conservaturum, quae tranquillitati publicae noceat; et si, tam in dioecesi meo, quam alibi noverim aliquid in status damnum tractari, Gubernio manifestabo.

Cette formule est la même qui fut approuvée par Sa Sainteté dans le concordat du 1801 avec la France.

Si un Gouvernement nouveau, chancelant, et plein de soupçon comme celui des Consuls de la République française, et immédiatement après la plus horrible des révolutions, fut cependant content de cette forme, Sa Sainteté ne peut pas douter que le sera aussi un Gouvernement tel que celui d'Angleterre, si parfaitement établi et respecté soit au dedans soit au dehors, et si essentiellement porté vers la félicité et la vraie liberté de ses peuples. Si toutefois le Gouvernement Anglais ne jugeoit pas à propos d'adopter cette formule, en voici deux autres, dont il pourra choisir celle qui lui sera plus agréable.

1. Ego juro et promitto me vere fidelem, et plene subjectum

atque obedientem futurum Majestati Suae Georgio III.; nulla unquam ratione hujus regni pacem et tranquillitatem me turbaturum, ac nemini unquam opem atque auxilium me praestaturum, qui directe vel indirecte contra Majestatem Suam et actuale Gubernium agere possit.

(Fol. 955.) Je jure et promets à Dieu sur les Saints Evangiles de garder obéissance et fidélité au Roi de la Grande Bretagne. Je promets aussi de n'avoir aucune intelligence, de n'assister à aucun conseil, de n'entretenir aucune ligue, soit au dedans, soit au dehors, qui soit contraire à la tranquillité publique; et si dans mon diocèse, ou ailleurs j'apprends qu'il se trame quelque chose au préjudice de l'état, je la ferai savoir au gouvernement.

(Fol. 957.) Je jure et promets que je serai vraiment fidèle et entièrement soumis, et obéissant à S.M. George III., et que je ne troublerai point en aucune façon la paix et la tranquillité de ce royaume, et que je n'assisterai à personne qui directement ou indirectement soit contre S.M. et le Gouvernement actuel.

(Fol. 959.) Je jure et promets obéissance et fidélité et vraie loyauté à George III. notre très gracieux Roi et Seigneur, et je la défendrai de tout mon pouvoir contre toute conspiration et attentat quelconque contre sa personne, couronne, et dignité, et je ferai savoir à Sa Majesté et ses héritiers tous les clubs, trahisons et conspirations proditoires contre eux, qui puissent venir à ma connoissance; et fidélement je jure et promets de maintenir, soutenir, et défendre de tout mon pouvoir la succession de la couronne dans la personne de Sa Majesté contre toute personne au dedans, ou au dehors qui puisse vanter ou prétendre un droit à la couronne de ce royaume.

(Fol. 961.) Si le Gouvernement vouloit que dans le serment soit insérée la promesse de ne pas troubler la religion protestante, Sa Sainteté ne s'y refuseroit pas, pourvu qu'il y eût aussi la clause que cela s'entend de ne pas la troubler par la voie des armes, de soulèvement de trames etc., mais non pas par la voie de l'instruction de la persuasion et de la prédication qui sont expressément commandées à ses ministres par Jésus Christ.

(Fol. 963.) Sa Sainteté permettra à tous ceux qui sont en usage de choisir les personnes pour être recommandées ou présentées au S. Siège à l'effet d'être promues aux archevêchés et évêchés, de faire, avant de le recommander ou présenter, de recherches auprès du ministère de S.M. Britannique, s'il n'y en auroit quelques vues entr'elles qui ne fussent pas agréables au Gouvernement afin de ne

pas les mettre dans le catalogue des personnes à être recommandées ou présentées.

(Fol. 965. [Séguito del documento al fol. 951]).

2. Ego juro et promitto fidelitatem, obedientiam et veram fidem Georgio III. gratiosissimo regi et domino nostro : ego eum pro posse meo defendam ab omni conspiratione atque attentatu quocumque contra ejus personam, coronam ac dignitatem, et si quae conventicula haberi, aut si quas proditorias conspirationes contra ipsum, vel legitimos ejus successores intentari cognovero, Majestati Suae suisque successoribus praedictis manifestabo. Fideliter quoque polliceor, me successionem coronae in persona Majestatis Suae pro posse meo conservaturum, propugnaturum et defensurum contra quoscumque qui tam extra quam intra regnum jus ad coronam hujus regni se habere aut praetendere praesumant.

Quant à la seconde condition S.S. ne se refuseroit pas à ce qu'il fût pourvu à l'objet à teneur de la clause additionelle du Bill, preposé par M^r^ Canning, qui porte que "les catholiques nommés à des Evêchés dans cette partie du royaume uni transmettront au Secrétaire d'Etat des certificats de leur fidélité signés par 5 Pairs catholiques anglais, et que la même procédure aura lieu en Irlande.

Finalement, quant à la troisième condition apposée au Bill, le soussigné n'a pas négligé du premier moment qu'il a eu l'honneur de conférer avec V. E. de lui représenter qu'il y a des choses que le Pape est contraint de tolérer, ne pouvant pas les empêcher, mais il ne peut pas concourir à les sanctioner par son autorité. Telle est la condition qui étoit insérée dans le projet du Bill, c'est à dire que le comité dont on y fait mention serait chargé d'examiner les lettres adressées par le pouvoir Ecclésiastique à quelqu'un du clergé Britannique pour vérifier s'il n'y eut rien qui pût être préjudiciable au Gouvernement ou troubler en quelque sorte la tranquillité publique. Afin que V.E. puisse se convaincre de cette vérité il faut observer :

1. Qu'il appartient aux principes de la religion catholique que la puissance du Pape sur toute l'Eglise, et sur tous les fidèles est souveraine et indépendante de toute autre puissance dans l'ordre spirituel, comme celle du prince politique est souveraine et indépendante dans l'ordre temporel sur toute l'étendue de ses Etats. Or comme l'autorité du prince politique seroit blessée si ce qui émane de lui fut soumis à l'inspection d'une autre autorité, qui pourroit dans quelques cas en limiter l'exécution, ou en empêcher la publication, de même les actes du pouvoir suprême du Pape dans l'Eglise ne peuvent pas être soumis à l'examen d'une autre autorité sans que sa souveraineté spirituelle dans l'Eglise, qui ne peut être susceptible d'aucune dépendance, en soit blessée.

2. Il est également principe de cette même religion catholique, que le Pape préside à toute l'Eglise principalement pour le maintien de l'unité de la doctrine qu'on y doit professer, et pour proscrire les erreurs en fait de dogme et de morale qui pourroint y naître, ce que le Pape fait par des Bulles, par des Constitutions Apostoliques et par d'autres actes pareils qui sont envoyés par lui dans tout le monde; mais si un gouvernement pouvoit examiner ces bulles, constitutions, et autres pièces, et sous quelque prétexte en empêcher la publication il pourroit arriver que pendant que dans tout le reste du monde les catholiques protesteroient une vérité que le Souverain Pontife auroit définie (la même chose seroit d'une definition d'un Concile général) dans l'état soumis à ce même gouvernement elle ne fût ni professée ni connue, et dans ce cas dans l'état dont il s'agit l'unité de la foi ne se trouveroit plus. Il pourroit encore arriver que l'on répandît dans cet état des maximes perverses tendantes à pervertir les peuples et à produire un grand mal, que le Pape pour l'empêcher donna instructions, et que le gouvernement de cet état par des motifs politiques en empêchait la publication : par là même s'ensuiroit que le libre exercice de la religion y seroit empêché et illusoire la liberté que le gouvernement accorderoit à elle, puisqu'il appartient à la liberté de cet exercice qu'on puisse librement recevoir les décisions et les instructions du chef suprême de cette religion.

3. Si l'on disoit que dans le cas, que dans les papiers adressés de Rome au clergé Britannique ne seroit question que de choses purement spirituelles, on n'empêcheroit pas l'exécution, on répondroit d'abord que cela arrivoit sûrement sous le gouvernement actuel dont S.S. connoit bien les dispositions favorables à ce sujet; mais dans la suite des temps on pourroit, par abus, supprimer les décisions et les instructions du S. Siège sous le prétexte que la tranquillité publique en pourroit être compromise. Mais sans cela même, combien cette inspection ne seroit-elle pas humiliante et même injurieuse au S. Siège comme s'il étoit dans le cas de faire des démarches secrètes, ou répandre des choses par lesquelles la paix, et le repos publique pourroient être troublés. En général tous les papiers qui sont émanés par les bureaux des affaires ecclésiastiques de Rome (ceux exceptés qui concernent les cas particuliers de conscience) ne craignent pas d'être exposés au publique, les principes du S. Siège ayant toujours été de ne jamais se mêler, dans sa correspondance avec les Evêques et les Vicaires Apostoliques, des affaires politiques des Etats, comme l'on pourroit voir dans les instructions même que la Congrégation de Propaganda Fide donne à ceux qui sont en correspondance avec Elle dans les différents pays du monde, dans lesquelles Elle leur défend expressément d'écrire autres choses ou nouvelles que celles qui re-

gardent des affaires spirituels et ecclésiastiques. Conformément à ce principe le Saint Siège a exercé jusqu'ici vers le clergé, et les catholiques Britanniques ses droits en leur envoyant des décisions, des instructions, et des ordres touchant la foi, la morale, la discipline, et tout autre objet ecclésiastique sans que ces communications aient occasionné aucun trouble, et le moindre inconvénient dans le gouvernement politique, dans les temps même les plus difficiles. Le gouvernement Britannique donc est fondé sur l'expérience de siècles, qui doit lui fournir la garantie plus sûre, que le S. Siège est très loin, on ne dira pas de porter atteinte à la souveraineté, ou à la plus grande sûreté de son gouvernement, mais de vouloir occasioner le moindre inconvénient dans ses états. Sa Sainteté croit avoir donné une nouvelle preuve de ces dispositions du S. Siège ayant tout perdu, et par son exemple ayant appris aux fidèles, que l'on doit, s'il est besoin, tout perdre plus tôt que de manquer aux devoirs envers l'Eglise, et vis-à-vis les autres Etats, et même ceux qui sont séparés de sa communion. Il aura pu se convaincre qu'il n'y a de sujets plus obéissants et si fidéles que les bons catholiques ; et s'il a pu dans beaucoup d'occasions, et partout dans les derniers temps en avoir des preuves les moins équivoques, comment pourroit-on douter de leur fidélité et de leur attachement après que leur sort auroit été amélioré par le bienfait de l'émancipation, et qu'ils auroient été excités par le chef suprême de l'Eglise à professer, et même à promettre par un serment solennel à leur gouvernement une fidélité pleine, sincère et constante ?

4. Enfin on ne laissera pas d'observer à V.E. que cet assujetissement des papiers relatifs aux objets ecclésiastiques a été inconnu par tant de siècles dans l'Eglise, pendant lesquels les Souverains Pontifes ont toujours librement joui des droits inhérents à leur dignité ou jurisdiction dans l'Eglise de communiquer sans aucun empêchement avec les catholiques répandus sur toute la surface de la terre ; que quelque innovation contre ce systéme a été atteinte par quelques gouvernements dans les derniers temps et toujours dans des moments des troubles et des différences avec le Saint Siège, qu'enfin les Pontifes Romains, et particulièrement Innocent VIII., Clement VII., Paul III., S. Pie V., Gregoire XIII., Clement XI., Clement XIII., Pie VI., et le Pontife actuellement régnant n'ont jamais cessé de faire leur réclamations contre cet inconvénient. S.S. donc espère, et même demeure intimement convaincue que le gouvernement anglais dont la sagesse, et la modération forme son plus noble caractère, dans le moment ou l'accord le plus heureux et permanent entre le S. Siège et cette illustre et magnanime nation va se rétablir, ou pour mieux dire, se resserrer de plus en plus, ne voudra pas adopter une mesure qui a toujours été la suite des mésintelligences et des querelles que de mauvais esprits ont taché d'exciter pour

troubler la bonne harmonie entre le S. Siège et les différentes puissances, et qu'il ne voudra donner à S.S. l'affliction profonde de sanctionner un projet qui blesseroit la dignité, la liberté et les droits du S. Siège, et même les principes les plus fondamentales de l'Eglise Catholique.

Mais si, contre son atteinte, ces réflexions n'auroient assez de force dans l'esprit de V.E. et de son gouvernement pour le faire désister d'une pareille disposition, Elle est, au moins sûre que ce même gouvernement ne voudra pas obliger le S. Père à reconnoitre, à sanctionner même par son autorité un inconvénient contre lequel son ministère l'oblige de réclamer comme contraire aux principes de la sainte religion dont il est le chef. Et si le gouvernement anglais comme V.E. a eu la bonté de déclarer qu'il ne prétend pas d'exiger de ses sujets catholiques ni un serment, ni un engagement quelconque qui soit contraire aux principes de leur religion, et seroit-il possible qu'il veuille engager à faire une chose qui est en opposition à ces même principes de la religion catholique celui qui en étant le chef, est d'autant plus obligé à les observer, et de donner à tous ses enfants l'exemple de sa fidélité envers eux?

APPENDIX G.

DIFFERENCES BETWEEN BISHOP MILNER AND BISHOP POYNTER.

(See Chapters XXIII. and XXIV.).

I.

Cardinal Litta to Bishop Poynter, July 30, 1814.

Illme ac Rme Domine—Ad medenda vulnera, quae Catholicae Ecclesiae postremis hisce temporibus inflicta sunt ea omnia instaurentur oportet, quae ad ipsius Ecclesiae praesidium atque incrementum instituta jam fuerant, quaeque eorumdem temporum nequitia pessumdata sunt atque prostrata. Inter haec potissimum locum sibi vindicant Collegia Missionum, quae ad instituendos Operarios in vinea Domini fundata fuerant, ac praesertim Collegium Anglicanum a Sa: Me: PP. Gregorio XIII hic Romae erectum, pluribusque redditibus locupletatum. Omni igitur studio curabitur, ut Collegium hoc in pristinum restituatur, eique egregius aliquis Rector praeficiatur. Significatum est autem esse isthic apud Greenwich prope Londinium Presbyterum quemdam nomine [Stephanum Green] omnibus plane dotibus instructum, quae ad seminarium bene moderandum requiruntur. Rogo igitur Amplitm Tuam, ut de Presbytero isto diligenter inquiras, certioremque me facias, an is ejusmodi revera sit, cui Anglicani hujus Collegii regimen et cura tuto committi possit.

Quoniam autem de Collegiis sermo est, aliquae ad Sacram Congregationem quaerelae delatae sunt circa erogationem quorumdam reddituum, qui a suppressione Duaceni Collegii proveniunt, quorum sors apud Argentarii mensam isthic deposita fuit pro institutione Clericorum uniuscujusque Angliae Vicariatus. Fertur etiam post suppressionem ipsius Duaceni Collegii Roma missa fuisse per triennium annua duo scutatorum millia, quae tibi tradita sunt inter singulos Apostolicos Vicarios distribuenda. Jamvero nunciatum est Amplitm Tuam harum omnium pecuniarum aequam omnibus fecisse partem praeterquam Episcopo Castabalensi Vicario Apostolico in medio Angliae Districtu, quem nihil ex iis percipere voluisti ob contentiones quae inter vos obortae fuerant. Si vere ita se res habet, cur fratri

tuo illud solvere renuisti, quod ad ipsum jure spectabat? Cupio igitur ut de collata hujusmodi in te criminatione purgare te velis, eique solvere quod suum est.

Denique exploratum habemus aliquos adhuc superesse redditus Collegiorum Anglorum Vallisoleti, Ulysipponis, Audomari, ac Parisiorum, qui a variis Curatoribus administrantur. Quaenam sit de hujusmodi redditibus erogatio? Cuinam de iis redditur ratio? Precor Amplit^m Tuam, ut etiam de his docere me velit, ut eae providentiae capi possint quae magis expedire in Domino videbuntur, atque interim rogo Deum, ut Amplit^m Tuam incolumem diutissime servet, ac sospitem. Ampliti Tuae Illm̃ae ac Rm̃ae = Romae ex aedibus Sacrae Congregationis de Propaganda Fide die 30 Julii 1814 = Amplit^is Tuae Studiosus = L. Card. Litta Praefectus = J. B. Quarantotti, Secretarius.

II.

BISHOP POYNTER TO CARDINAL LITTA, FEBRUARY 2, 1815.

EM̃E, AC RM̃E DOMINE = Die 29 mensis jam elapsi perlatum est ad me duplicatum litterarum, quae ab Em̃a Vrã die 30 Julii anni praeteriti datae ad me in Anglia non pervenerant. Laetatus imprimis summopere sum de vigili Em̃ae Vrãe cura erga Anglicanum Collegium in urbe Romae existens, et nemo nostrum nequibit de hoc meritas non referre gratias et eternam memoriam servare. De Presbytero illo, qui Em̃ae Vrãe propositus est ut Collegio huic praeficiatur, quamvis ad missionis in Anglia officia, quibuscum magno studio et fructu fungitur, quam ad Collegii regimen aptior videatur, tamen eum ejusmodi esse puto, cui Anglicani hujus Collegii regimen et cura saltem ad tempus committi possit. Insuper linguam Italicam callet, et consuetudinibus Romae assuetus est. Laetatus sum pariter de aperta communicatione quaerelarum et criminationum quarumdam contra me delatarum; voluissem quidem caeteras omnes quae in mente Em̃ae Vrãe latent fuisse simul mihi communicatas. Londini sane, et in Anglia, ubi mores mei totaque agendi ratio cognoscuntur, eas refellere nec necessarium, nec operae pretium foret. Et revera malui atrocissimas calumnias in silentio perpeti, quam gestorum a me defensionem in vulgus edendo, contentionem aliquam inter Episcopos existere populo nostro declarare, aut ad vulgi judicium appellare. Sed jam summopere mihi gratulor has litteras Em̃ae Vrãe occasionem mihi praebuisse demonstrandi Romae, Em̃ae Vrãe, et ipsi Summo Pontifici, ut demonstraturum me esse plane confido, quod ego ille, qui in Districtu Londiniensi ejusdem Summi Pontificis vices gero, minima quidem macula possim ubiquam notari.

Calumniae reapse sunt quaerelae et criminationes ad Sacram

Congregationem contra me delatae de erogatione quorumdam reddituum suppressi Collegii Duaceni, et de distributione tamquam a me facta scutorum Romanorum omnibus Vicariis Apostolicis, uno excepto Episcopo Castabalensi, Vicario Apostolico in medio Angliae Districtu, idque ob vindictam contentionum, quae inter nos erant obortae. Si qua talis vera esset in me accusatio, si talium criminum, injustitiae et vindictae ego Episcopus, et Summi Pontificis Vicarius reus essem, nollem sane quod Em̃a Vrã sisteret in consilio illo, seu potius in illa Sententia in me jam lata, ut Episcopo Castabalensi *solvam quod suum est.* Ultra enim procedendum esse exigerem, ac totis viribus reclamarem, ut nempe perpetua notatus essem infamia, ut canonicis item, ac civilibus usque poenis essem plectendus.

At falsam esse querelam, at non vera esse ea omnia, nec unum quidem ex iis, quorum sum accusatus, paucis profecto demonstrabo. Mihi certe numquam tributa fuit administratio aut erogatio ullorum reddituum suppressi Collegii Duaceni, nec speciatim horum reddituum quicumque illi fuerint, quorum sors dicitur apud Argentarii mensam deposita fuisse. Scis utique omnes redditus, qui post jacturam bonorum illius Collegii in revolutione Gallicana factam jam remanent, a Rev. J. Daniel ejusdem Collegii Praeside, qui jam vivit Parisiis, percipi, quorum reddituum eam partem quam unicuique Vicariatui propriam esse judicat Vicario cuique Apostolico distribuere dicitur. In hac autem distributione Vicarius Apostolicus Londinensis non percipit pro suo Districtu amplius quam viginti et quinque libras sterlingas annuatim. Aliam autem partem horum reddituum, quae nulli speciatim Vicariatui in Anglia propria est, ad institutionem Clericorum suorum idem Praeses Rev. J. Daniel continuo a suppressione illius Collegii retinuit, et adhuc retinet, ad futuros, ut dicitur, Collegii usus. Utique ego recordor sex abhinc annis me litteras redegisse Summo Pontifici, aut Sacrae Congregationi mittendas, ut sineret has communes inter omnes Vicarios Apostolicos Angliae aequa lance dividi pecunias, pro utili non minus quam necessaria institutione Clericorum cujusque Vicariatus, sed non alia ex ratione has mitti non potuisse litteras, quam quia Episcopus Castabalensis hasce signare recusavit. Haec autem historica scientia de iis quae a Rev. J. Daniel circa redditus Collegii Duaceni facta sunt, praeter questionem ad me pertinentem videri possunt, dum tamen luculentissime patet injustissime de erogatione horum reddituum me esse accusatum, qui in acta administratione, aut erogatione eorumdem ne minimam quidem habui unquam partem.

Quod attinet ad collatam in me criminationem, de qua cupit Em̃a Vrã ut me purgem, hoc facillime ac libentissime faciam. "Fertur post suppressionem ipsius Duaceni Collegii Roma missa fuisse per triennium annua duo scutorum millia, quae tibi (de me sermo est)

tradita sunt inter singulos Apostolicos Vicarios distribuenda." Respondeo, haec ad me non fuisse missa, nec ad manus meas aut potestatem meam unquam pervenisse. — "Iamvero nunciatum est Amplitudinem Tuam (de me continuo sermo est) harum omnium pecuniarum aequam omnibus fecisse partem, praeterquam Episcopo Castabalensi Vicario Apostolico in medio Angliae Districtu, quem nihil ex iis percipere voluisti ob contentiones quae inter vos obortae fuerant." Respondeo me nullam omnino partem in illarum pecuniarum aut ullius earum portionis distributione umquam habuisse, illum qui jam est Episcopus Castabalensis et Vicarius Apostolicus in medio Angliae Districtu fuisse eo tempore Sacerdotem Missionarium apud Wintonium in Districtu Londinensi, dum ego Sacerdos, et Vice Praeses in Seminario Londiniensi versarer, nullasque eo tempore inter nos contentiones obortas fuisse.

Liceat mihi rem ut facta est breviter narrare. Circa tempus suppressionis Collegii Duaceni, scuta Romana ad valorem mille librarum sterlingarum missa fuerunt ad Procuratorem Collegii Duaceni Londini degentem, quae quidem destinata fuisse cognoscuntur ad institutionem Alumnorum Ecclesiasticorum ejusdem Collegii. Eversi illius Collegii Duaceni Professores et Alumni erant pars in Seminario Londinensi Illmi Dñi Douglass, pars in Seminario Septemtrionali Illmi Dñi Gibson. Nec erat eo tempore Seminarium Ecclesiasticum in Districtu Medio, sed studiosi Ecclesiastici ad Districtum medium pertinentes in Seminario Londinensi instituti sunt. Circa annum 1797 aut 1798, quaestio circa distributionem illarum pecuniarum ad clar: mem: Praelatum emeritissimum, ac postea S. Romanae Ecclesiae Cardinalem Erskine tunc Londini degentem delata fuit, qui rem omnem cognovit ac judicavit. Statuit ergo has pecunias distribuendas esse inter duo Seminaria Londinense et Septemtrionale, in quibus erant Professores et Alumni e Collegio Duaceno per revolutionem Gallicanam expulsi. In ea quaestione aut proponenda aut statuenda ego nullam omnino partem habui, nec in harum pecuniarum distributione quidquam egi.—Actam definitamque quaestionem hanc iterum anno 1811 excitavit Episcopus Castabalensis exegitque a Praedecessore meo Illmo Dño Douglass, ut ipsi restitueret tertiam partem illius summae 900 librarum Sterlingarum, quae per Sententiam Eximi Dñi Erskine anno 1797, assignata fuerant pro Seminario Londinensi, dum idem Episcopus Castabalensis nihil exigeret ab Illmo Dño Gibson ejus portionis illarum pecuniarum, quae ipsi per eamdem sententiam assignatae fuerant pro Seminario Septentrionali. Pacis et concordiae amans quin res ageretur iterum haud recusavit. Electi sunt duo Arbitri, unus ab Illmo Episcopo Castabalensi, alter ab Illmo Dño Douglass Vicario Apostolico Londinensi, qui cum esset eo tempore valde infirmae valetudinis, postulavit a me

tunc ejus Coadjutore, ut in hoc negotio vicem ejus gererem. Conventum est inter Illm̃um Episcopum Castabalensem et me etiam subscriptis nominibus sententiae ab arbitris electis ferendae favere et acquiescere. Habeo mecum ipsum Authographum pacti manibus nostris signatum. Sententia lata est in favorem Illm̃i Dñi Douglass. Haec causa iterum finita est, et huic sicut et caeteris sententiis circa alias quaestiones illo die agitatas latis omnes laeti acquievimus. Quae cum ita sint, cum haec scuta Romana numquam mihi tradita essent, cum in eorum distributione partem nullam haberem, cum tempore eorum distributionis nullae contentiones inter Illm̃um Episcopum Castabalensem et me obortae essent, non minorem afflictionem, quam admirationem in mente mea excitat illa quaestio ab Em̃a Vrã proposita, "cur fratri tuo illud solvere renuisti, quod ad ipsum jure spectabat?" praecipue cum turpissimum inique agendi motivum mihi tributum esse videam cum dicitur me voluisse Episcopum Castabalensem nihil ex iis pecuniis percipere *ob contentiones*, quae inter nos obortae fuerant!! Quis mihi hanc injuriam fecit ut vindictae simul et injustitiae crimen mihi falso tribueret? Peto ab Em̃a Vrã, ut dignetur mihi in scriptis declarare quodnam de querelis et criminatione quibus jam respondi judicium feratur.

Pertransiens post haec ad redditus Collegiorum Vallisoleti, Ulysipponis, Audomari ac Parisiorum, cum haec pariter meae non subsint administrationi, spero me nulli circa ea subesse criminationi. Pro eo tamen quod scio patefaciam ut Emãe Vrãe satisfiat. Collegium Vallisoleti nullos habet redditus ex Anglia percipiendos, sed jam in pauperrimum statum redactum est. Egometipse suppetias illi Collegio nuper tuli, missis ad Praesidem ejus centum sexaginta libris sterlingis; nullos adhuc habet Alumnos Ecclesiasticos. Collegium Ulysipponense redditus habet nonnullos, qui juxta Constitutiones ejus a propriis administrantur Rectoribus. Studium autem hoc renovavit Collegium, et egomet superiori mense Julio septem adolescentes non parvo sumptu transmisi, ultra presbyterum Districtus Londinensis, qui humaniores literas edoceret. Audomarensis tandem et Parisiensis Collegii redditus peculiares administrant Curatores. Mihi sane videtur de Audomarensi administratione rationem reddi Ministris Gallici Regis, ac de Parisiensi reddi rationem cuidam Concilio, cui ipse praeest Parisiensis Archiepiscopus.

Dum haec omnia in facto delibasse potius quam sedulo egisse mihi compertum est, jam respondisse videor litteris nuper acceptis. Numquam tamen satis Emãm Vrãm humillime deprecabor, quod de rebus meis ita judicet, ut Romanae Sapientiae ac Sanctae Sedis Apostolicae dignitati par est respectu Episcopi, qui in Districtu Londinensi Summi Pontificis vices gerit, quique cujuscumque sui actus haud unquam deficiet defensioni ac judicio. Interim vero

deprecor Deum O.M. ut Emãm Vrãm pro Ecclesiae Bono sospitem diu servet, hocque toto animi fervore implorare numquam desinam = Datum Romae die 2 Februarii 1815 = Emãe Vrãe = Humillimus ac obsequentissimus Servus = Guillelmus Poynter, Episcopus Haliensis, Vicarius Apostolicus Londini.

III.

CARDINAL LITTA TO BISHOP POYNTER. DECEMBER 2, 1815.

ILLMẽ AC RMẽ DNẽ,

Binas accepi litteras ejusdem exempli datas die 29 Julii, aliasque 1 Augusti prox: elapsi ac primo quidem plurimas Amplitudini Tuae gratias ago de iis, quae praestitisti, urbanitatis officiis pro faustissimo sanctitatis suae ac S. R. E. Cardinalium in urbem reditu, quae quidem nos magis magisque in ea opinione confirmant, quam de egregio tuo erga S. Sedem obsequio ac devotione praeclaram habemus. Praeterea commendare debeo diligentiam tuam, qua et litteras tibi traditas reddidisti tum Archiepiscopo Dublinensi tum Episcopo Castabalensi, a quibus de illarum acceptione certiores facti sumus, et exemplum epistolae a me Genuae scriptae jussu Illmi de emancipationis negocio ceteris collegis tuis mittendum curasti.

Non aliud quidem Sanctitas Sua in his decernendis declarare voluit, nisi conditiones, quas ipsa adprobare potuisset in casu quo Catholicorum emancipatio iis et non aliis a civili potestate concederetur. Beatissimus Pater satis sibi factum putat, et gaudet se hoc indulgentiae argumentum dedisse, quamvis ex nunciis Romam nuper allatis praevideat vix aliquam affulgere spem, ut Britannicum Regimen optatam Catholicis emancipationem exhibitis a Sua Sanctitate conditionibus sit largituram. Non enim nos latet emancipationis negotium bis in Comitiis generalibus fuisse propositum, ac semel iterumque maxima suffragiorum copia rejectum. Haec cum ita sint, Amplitudo tua jam videt nullam concipi spem posse ut regimen a suscepto consilio deflectat, ac emancipationem impertire velit iis conditionibus, quas tantum Sanctitas Sua offerre potest, quaeque civilis potestatis principiis adeo opponuntur.

Emancipationem Catholicorum nec petit Pontifex, nec petiit umquam; sed tantum Episcopis postulantibus, praeviam quamdam praebere voluit instructionem, quibus dumtaxat conditionibus Fideles emancipationis beneficium, salva Fide, disciplina, et orthodoxae Religionis emolumento possent amplecti, quoties ita, et non alias illud a Gubernio tribueretur. Bene est Sanctitatem Suam ita se gessisse ad arcendam scilicet quamlibet exprobationis causam, ac si ipsa nullam operam dare voluisset, vel explanare vias ad novum hoc beneficium Catholicis comparandum.

Aegre autem, ac satis moleste accepimus Rmum̃ D. Milner Episcopum Castabalensem, contemptis monitis, imo et increpationibus, quae Romae ei factae sunt, non cessare adhuc pacem mutuamque concordiam, quam inter Vicarios Apostolicos adeo interesse oportet graviter perturbare. Si ille se jactat suam agendi scribendique rationem in criminandis conviciandisque collegis suis, adprobationem et laudem a nobis meruisse, longe quidem a veritate deflectit, vel facta saltem exagerat, invertitque. Aliquam profecto laudem, non inficior, ipse Romae est consequutus pro iis, quae in defensionem Summi Pontificis et Apostolicae Sedis adversus calumniosas, atque schismaticas Blanchardi ejusque assectarum doctrinas perscripsit, tum etiam pro eo, quod propositam emancipationis legem, prout illa concepta erat, non satis probandam judicavit. In reliquis vero, ac praesertim in iis, quae accusationes contra illius Collegas delatas, editasque respiciunt, Sacra haec Congregatio illum severe arguit, et nunc etiam monet, ac jubet, ut in posterum ab hujusmodi criminationibus pervulgandis omnino abstineat. Haec contentionum semina melius est occulere quam fovere; ideoque de mutuis querelis ac recriminationibus, quibus se invicem Vicarii Apostolici adorti sunt, nihil S. Sedes proferre voluit; hoc enim judicium non alio rem duceret, nisi ad alendam dissensionis flammam, et ad eam magis magisque extenuandam charitatem, quam inter Catholicos praesules tanto studio servari necesse est.

Ad Ampd^{m} vero tuam quod attinet, persuasum esse tibi velim, S. hanc Congregationem praeclare quidem de te sentire, ac velle ut auctoritatis tuae in Vicariatu isto omnis plane honos ac ratio habeatur. Siquis refractarius aut contumax aut contumeliosus est, utere jure tuo, et si opus sit, Apostolicae Sedis posce praesidium, quae quidem tibi praesto esse non deerit. Simul vero maxime tibi curandum est, ut nter Vicarios Apostolicos mutua quaedam animorum consensio ac vera concordia restituatur, nec eorum aliquis a communi consilio arceatur, secus enim vigebit semper dissidii causa. Fore confido, ut tua praesertim prudentia et charitate, Deo auxiliante, dissidentium animi reconcilientur et optata inter praesules pax reflorescat.

Aliquid mihi addendum superest circa societatem Jesu, de qua sciscitatus es. Exploratum erit Amplitudini Tuae, hanc societatem a SSm̃o Dn̄o Nostro restitutam fuisse in universis Orbis provinciis, in quibus civiles potestates illam recipere ac revocare consenserint. Compertum autem est S. Congregationi Leodiense Collegium, quod jam a Presbyteris ejusdem societatis regebatur, in Angliam fuisse translatum, ac sub iisdem moderatoribus constitutum in loco de Stonyhurst, ubi nunc non mediocri Orthodoxae Religionis profectu illud efflorere fertur. Ea igitur de hoc S. Congregationis mens est, ut Amplitudo Tua omnem operam det, ut Societas ista in Anglia in-

stauretur, ac stabiliatur, illique omni studio favere curet. Id vero ea, qua par est, prudentia, solertiaque facias necesse est; nam si forte praevideas, officia tua Gubernii offensionem suscitare, ac detrimentum potius, quam utilitatem parere posse, tunc satius est ab iis abstinere, neque plus agere aut tribuere quam circumstantiae ferunt.

Haec Ampd^ni^ Tuae significanda habui, dum interim Deum apprecor, ut eamdem diutissime sospitem, atque incolumem servet.

Ampdñis Tuae

Uti Frater Studiosissimus,
L. Card. Litta, Praef^tus^,
J. B. Quarantotti Sec^tus^.

Romae ex Aedibus S. Congñis De Propd^a^ Fide
die 2 *Decembris* 1815.

APPENDIX H.

CASE OF REV. PETER GANDOLPHY.

I.

Appeal of the Bishops of England and Scotland to Pope Pius VII.[1]

Beatissime Pater,

Nos infrascripti Episcopi, Apostolici S. Sedis in regnis Angliae et Scotiae Vicarii, cum Coadjutoribus nostris humiliter rogamus Sanctitatem vestram, ut dignetur auctoritatem nostram sustinere ipsiusque Religionis causam in Anglia tueri, quae extemeritate et contumaci resistentia unius Presbyteri Dñi Gandolphi in summum discrimen adducuntur.

Opera Dñi Gandolphyi, quae inscribuntur "Liturgia" seu "Expositio Liturgiae" et "Antiquae Fidei Defensio," nos omnes cum Illmo Collega nostro Vicario Aplico Londinensi omnino improbanda esse judicamus; tum propter errores quos continet, tum propter petulantes loquendi modos et consilia quibus abundant: unde ea populo minime idonea declaramus, ideoque necessario inhibenda, eaque non commodum sed detrimentum Religioni Catholicae in his regionibus allatura esse affirmare non dubitamus. Quod hoc tempore infelici eventu nobis compertum est.

Omnia quae a dilecto Confratre nostro Illmo Londini Vicario Aplico facta sunt circa inhibitionem horum operum, auctorisque inobedientis et contumacis suspensionem nobis nota sunt, et ex pleno judicio a nobis adprobantur. At Dmum Gandolphium ob magnum mandatorum Episcopi sui contemptum, ob gravas et multiplices injurias Episcopo suo palam illatas, et ob scandalum exinde populo datum plane condemnandum esse judicamus.

Confidimus talia opera approbatione S. Sedis Apostolicae nunquam honestanda esse. Et maxime dolemus licentiam ea imprimendi a Rmo Magistro S.P.A. concessam fuisse; quae res gravi scandalo Catholicis et summo opprobrio S. Sedi Apostolicae vertitur. Auctoritati Episcopali etiamnum contumeliose resistitur, et haec opera S. Sedis Aplicae approbationem obtinuisse ab auctore tum verbis tum scripto pertinaciter declarantur.

[1] *Westminster Archives.*

Sanctitatem vestram unâ voce adpellamus enixeque precamur, ut suam, quae in Vicariis suis hic prostrata jacet, auctoritatem erigat, erectamque tueatur.

Profundissimam reverentiam, summam obedientiam et devotionem erga Sanctitatem vestram profitentes, humiliter petimus ut Sanctitas vestra dignetur nobis Apostolicam suam benedictionem impertiri.

Sanctitatis vestrae

Humillimi ac obsequentissimi servi,

GULIELMUS [GIBSON] ACANTHENSIS V.A. SEPT.

ALEXANDER [CAMERON] MAXIMIANOPOLITANUS V.A. IN PLANIS SCOTIAE.

PET. BERNARDINUS [COLLINGRIDGE] THESPIENSIS V.A. OCCID.

ENEAS [CHISHOLM] DIOCAESARIENSIS V.A. IN MONTANIS SCOTIAE.

THOMAS [SMITH] BOLINENSIS COAD.

ALEXANDER [PATERSON] CYBISTRENSIS COAD.

June 21, 1817.

II.

APPEAL OF THE LONDON CLERGY TO POPE PIUS VII.[1]

BEATISSIME PATER,

Nos infrascripti Missionarii Apostolici, Londini, ad pedes Sanctitatis vestrae provoluti, humiliter petimus, ut causam Illustrissimi Haliensis Episcopi et Vicarii Apostolici in districtu Londinensi, coram Sanctitate vestra paucis defendere liceat.

Exponimus igitur Sanctitati vestrae, quod Gandolphius presbyter, in Vicariatu Londinensi, contra Episcopum suum Haliensem, adhuc publicis scriptis et dicteriis contendit, opera sua, nempe "Expositionem Liturgiae" et "Defensionem Antiquae Fidei," quae ab omnibus Vicariis Apostolicis in Angliâ et Scotiâ, uno excepto, condemnata sunt, Sedis Apostolicae judicio approbata fuisse, eaque inhibere, ne suspensionis quidem poenâ cogi potest.

Haec quidem Gandolphii opera Romae examinata et approbata fuisse non diffitemur: sed a quibus? Non a Sacrâ Congregatione, ad quam Sanctitas Vestra Gandolphii libros examinandos jampridem miserat, et cujus judicium de iisdem libris praestolari in mandato habuit Episcopus Haliensis, inhibita interea eorum vulgatione; sed a binis Examinatoribus, Hiberno altero, altero Romano, insciâ ipsa, ut certo compertum est, Sacra Congregatione. Horum approbationes praecipiens Gandolphius, inconsulto etiam et inscio Eminentissimo

[1] From an imperfect copy in the *Westminster Archives*.

Sacrae Congregationis Praefecto, Româ, ubi aliquot menses, hujus negotii causa, degerat, in Angliam festinanter rediit, et approbationes Episcopo suo obtulit, quas Ille statim rejecit, utpote nec validas, nec certe Sedis Apostolicae judicium. Quid igitur Gandolphius? Approbationes publicas illico fecit, librosque suos, jam edicto Sacrae Congregationis detentas, in vulgus iterum misit, jactans se Sedis Apostolicae judicio contra Episcopum suum confirmari munirique.

Quae unius presbyteri contumacia, quantum in Religionis detrimentum vertat, quantum Catholicis et acatholicis scandalum praebeat, quantamque injuriam Apostolicae Sedi illatura sit, Sanctitas Vestra clare perspiciet. Susurrabitur enim libros tot erroribus refertos Sedis Apostolicae judicio honestatos fuisse. Hoc ne eveniat, cum carissimo Episcopo nostro summis viribus collaboravimus, et ideo quae ab Ipso contra Gandolphium gesta sunt, concordi suffragio comprobamus.

Quodvero, Beatissime Pater, diutius silentio ferendum non est, non latet nos, eximium Episcopum nostrum, quorumdam injuriis et accusationibus, jam multo tempore, lacessitum fuisse; sed quam immerito, facile patebit Sanctitati Vestrae ex verissimo testimonio nostro, qui cum Ipso multis jam annis conjunctissime viximus, quique Ipsius pietatem, scientiam, zelum, benignitatem et in rebus arduis invictam fortitudinem magis magisque mirati sumus; ut in difficili rerum quo versamur statu, huic Ecclesiae insigni quadam providentia praepositum fuisse non dubitemus. Huic arctissimo amoris vinculo devincimur; hunc populus optimatesque Catholici reverentiâ colunt, et comprobant Gubernii principes, ob prudentiam, singularemque animi moderantiam. Sentit enim nobiscum Egregius Praesul quod hoc in Regno et his temporibus summâ prudentiâ omnimodo opus est; eoque magis cum quidam arti politicae potius quam Religionis commodo studentes, sectam legibus Regni stabilitam, convitiis magis quam argumentis imprudentissime aggrediuntur, et quaestiones Gubernio molestissimas in medium proferunt. Inter quos ita quidem eminet Gandolphius, ut asperrima quaedam contra Protestantes ex ipsius concionibus deprompta orator quidam insignis in Curia Comitiorum nuperrime legerit, indignatus quod, ut aiebat, et quod verum est, opus hujusmodi auro cedroque dignum Romae declaratum fuerat.

Quae cum ita sint, humiliter petimus, ut Sanctitas vestra huic molestissimo negotio finem tandem imponat, totque Episcoporum auctoritatem potestate suâ tueatur, ne per unius presbyteri contumaciam contemptui ludibrioque habeatur: quod nunquam certe eveniet, nisi prius Gandolphii opera inhibeantur, quam ab ipso suspensionis poena removeatur. Hanc vero molestissimam controversiam felici exitu componendam fore non dubitamus, si per Sanctitatem vestram liceat ut totum negotium Vicariorum Apostolicorum judicio referatur, utpote qui Anglici idiomatis acumen et proprium verborum sensum accuratius

callent, et quibus perspectum est, quid in libris de fide Anglice exaratis, probandum improbandumve sit. Verissime autem Sanctitat[i] Vestrae testamur, Episcopum nostrum, per totum hoc negotium, summâ patientiâ et lenitate se in Gandolphium gessisse, et ipsius contemptum, injurias, irrisionesque publicas, silentio passum fuisse, donec tandem coactus est pastorali ad populum monito conqueri et mandare, ut Catholici in Vicariatu Londinensi ab operibus Gandolphii diligenter caverent. Nec immerito: haec enim opera uno ore improbanda declaramus, utpote nec populo nostro idonea, nec Catholicae Religioni profutura, donec ab erroribus, inhibitâ interea eorum vulgatione, penitus purgata fuerint.

Nec Sanctitas vestra existimet aut etiam suspicetur nos in hac declaratione, inimicitiâ aut odio in Gandolphium commoveri. Volumus tantum, ut in officio contineatur, ut Sedi Apostolicae et ordini Episcopali debitus servetur honos, ut pax rupta uniatur, unitaque permaneat, utque quod nobis cordi potissimum est, populus noster sanâ verborum forma imbuatur.

His igitur summâ reverentiâ expositis, precamur Deum optimum maximum ut Sanctitatem vestram diu sospitem servet, enixis simul petentes precibus, ut Sanctitas vestra nobis obsequentissimis sibi in Christo filiis Apostolicam benedictionem impertiri dignetur.

1. Joannes Lee, Capituli Decanus.
2. Jos. Hodgson, Vic. Gen.
3. J. Y. Bramston, Vic. Gen.
4. Jac. Archer, Vic. Gen. et Regiae Capellae Bavar. capellanus.
5. Joannes Bew, Sacrae Theologicae Doctor.
6. Joannes Earle.
7. Joseph Carpue.
8. Gul. V. Fryer.
9. Joannes Jones.
10. Guliel. Wilds.
11. Joannes Lee.
12. Thomas Varley.
13. Ric: Broderick.
14. Jos. Kimbell (Colleg. S. E. nuper Praeses).
15. Joseph Hunt.
16. Car. McDonnell.
17. Dan. McDonnell.

(The Address of the Laity in favour of Bishop Poynter can be found in the *Orthodox Journal*, October, 1817, p. 403. It is followed by a spirited criticism by the Editor, and in the same number (p. 392) a similar criticism appears written by Milner, under the signature of "Catholicus".)

III.

Bishop Milner to Rev. P. Gandolphy.[1]

Wolverhampton, *Dec.* 16, 1817.

Dear Sir,

I am sorry that your unmerited sufferings are not at an end, but that attempts should even now be made to disgrace you and your published sermons at the Holy See, thereby to prevent the course of those good effects in the cause of our Holy Religion which for a series of years marked their progress. I have heretofore signified my full conviction that it is not any zeal for pure doctrine which has drawn upon you this persecution, but your warm advocacy of the three convents of poor nuns in the London District (the fourth like all the rest in England remaining unmolested) who were peremptorily ordered by the Grand Vicars of that District to take off their habits and veils, contrary to every principle of English liberty and the discipline of the Church which solemnly blessed those habits and veils and invested these religious with them. If the civil power (which has disclaimed the measure) had required it, it would have been for its magistrates and constables, and not for bishops and priests to have enforced the irreligious persecution. My reasons for entertaining this opinion concerning the motive for afflicting you in the manner you have experienced are the following:—

1st. We know how much Dr. Poynter and his Vicars were incensed against you for defending the three convents of nuns and their habits; and 2ndly because it is notorious how passive and indifferent these gentlemen have been in every other case where the doctrine, unity and discipline of the Church have been attacked in the London District. In the first place one of the present Vicars (the last priest whom I and most other Catholics would have expected to be raised to that trust), the Rev. Mr. Archer, has published sermons which for their flowing style are read as public homilies from the altar by many of the clergy, but which abound with practical errors: I mean false morality, on those subjects on which it is of the most consequence to stem the tide of human passions. I long laboured to get these errors corrected by the author himself, or by his Bishop; but failing in this attempt I thought it my duty to admonish my own clergy not to read these sermons from the pulpit or the altar. This I did in a charge so called, which I printed and circulated among my clergy, but never published, in order to spare the writer and the London Vicar Apostolic. In the 2nd place the Rev. Jos. Berington, a priest of the London District, and heretofore cele-

[1] From a copy in the volume of Gradwell's Letters (*Westminster Archives*).

brated for his irreligious publications and attacks on the Holy See, has lately republished a work on the subject of all others which requires truth and accuracy. It is entitled "The Faith of Catholics," yet it abounds with faults of various kinds, some of them of great importance. Dr. Poynter, who read the work in MS., made several remarks on it; but the author instead of submitting to his superior, published these objections, and endeavoured to refute them. The work being printed at Birmingham, in my District, and industriously circulated in every part of it, I thought it my duty to warn my clergy that it was not what it professed to be, the Faith of Catholics, and I gave my reasons for this decision. The whole account of this affair is contained in the above named printed but not published charge, Part II., in Card. Litta's possession.

In the 3rd place Dr. Poynter has thought proper to become the patron and promoter of the Catholic Bible Society, and solicited me to join him in the undertaking, a proposal which I always resolutely withstood as standing in opposition to the Catholic rule of faith and being grounded on that of Protestants. In furtherance of this plan he has by himself or his vicars erased from our Catholic Testament published by the Venerable Bishop Challoner those notes in defence of the Catholic doctrine and in refutation of Protestant errors, moderate and guarded as they were, together with the necessary table of controversies which appear to me, and as it should seem to the Holy See itself, from its late bulls, absolutely requisite for rendering the sacred text in a vulgar language safe among the vulgar. The Testament thus changed has been printed by the Cisalpines.

In the fourth place it is notorious that the London Vicar never raised his voice against all the heresies and schisms contained in the numerous publications of Dr. O'Conor, nor those of Blanchard and his associates, till the Midland Vicar had in different works denounced and refuted them, and that the former was much incensed against the latter for having done so. Even now the Blanchardists (proclaiming His Holiness to be the author and fautor of heresy and schism) are protected in the London District.

I pass over other reasons which equally induce me to believe that it is your defence of the nuns and not your alleged errors that has raised this storm against you.

Looking now over your volumes, though in a cursory manner, I can venture to say that they contain no practical errors like the Grand Vicar's sermons, but on the contrary much practical truth and piety, I mean when the passage concerning fasting and abstinence is effaced, which you have publicly retracted and cancelled. I am of opinion also that they contain no speculative errors from which

there is the least danger to unlearned readers. Now and then I have thought I perceived an inaccuracy of expression, but the author's orthodox meaning in the *sensus auctoris* has appeared to me clear throughout. On the other hand many of the criticisms of your opponents are evidently groundless, unjust and calumnious. I speak of those objections which have come to my knowledge.

Finally, if the Congregation of the Index, or any other Congregation of the Holy See should think fit to censure your volumes, I apprehend that it will be an intimation to the Catholics of this country to denounce many of the English works to it, particularly the two first-named above, namely Mr. Archer's sermons, which from the late elevation of the author derive a new weight and authority; and Mr. Berington's Faith of Catholics, which the lawyer, Charles Butler, the prime mover in all Catholic affairs, has lately once more published, with our other Creeds, the Apostles', the Nicene, and Pius IV.'s profession of faith, declaring at the same time that it is "An accurate exposition of Catholic principles". Mr. Butler's late book is called *Confessions of Faith of the Roman Catholic, Greek and Principal Protestant Churches*, and its evident object is that which he constantly professes, in conformity with the infidel spirit of the times, to unite or amalgamate the unchanging Catholic Church with the Socinian or Deistical Church of England. I beg my compliments to your respectable and truly good brother and sisters, and begging to hear how your affairs go on at Rome, when you yourself hear of them,

I remain, dear Sir,
Your faithful and obedient servant in Christ,
✠ J. Milner.

P.S.—You say nothing in your letter of Old Hall Green College and Seminary, which is now a subject of inquiry and anxiety among all Catholics. About a week ago a gentleman from London came hither and to Oscott for the purpose of removing his two sons from the former to the latter College, but they were positively refused by the President of the latter in consequence of their having been hitherto educated at Old Hall. I might have mentioned Dr. Poynter's choice of Dr. Bew, the modern Sorbonist and President of the Cisalpines' former establishment at Oscott, in proof that his zeal for sound doctrine is not so great as it is alleged to be, knowing how averse he heretofore expressed himself to be to Dr. Bew's theological opinions.

APPENDIX J.

BISHOP MILNER AND THE ORTHODOX JOURNAL.

I.

CARDINAL FONTANA TO BISHOP MILNER. APRIL 29, 1820.[1] (EXTRACT.)

ILLME AC REVME DÑE,

Non sine magna tum Summi Pontificis, tum sacrae hujus Congregationis molestia compertum est, periodicum quoddam Diarium in Anglia circumire, sub titulo "Orthodox Journal," quo quidem nihil aptius ad fovenda ac perpetuanda dissidia inter Magnae Britanniae Catholicos, qui antea inviolabili sua erga Sanctam Orthodoxam Ecclesiam adhaesione et obedientia, tum etiam concordia et caritate quae inter ipsos florebat non modo suis pastoribus ac Summis Pontificibus solatio erant, sed etiam universae Christianae reipublicae exemplo. Praeter enim quam quod in eo Diario aliqua propugnantur, atque efferuntur opera, quae merito ecclesiasticas censuras promeruerunt, eorumque auctores tamquam omnium studiosissimi Orthodoxae Fidei defensores celebrantur, illud accedit, quod summa temeritate, detractionibus, atque conviciis, immo immanibus saepe calumniis, plurium Catholicorum, ipsorumque Vicariorum Apostolicorum, imo et ministrorum Sanctae Sedis fama gravissime denigratur. Quod autem beatissimum Patrem et eminentissimos Patres vehementius anxit, ac indignatione quadam affecit, ex eo potissime oritur quod Diarium istud plures articulos continet qui palam amplitudinis tuae nomen prae se ferunt, et pervulgata res est te ex potissimis ejusdem promotoribus ac auctoribus esse, qui editori materias large suppeditas. Nobis persuadere vix possumus quomodo Vicarius Apostolicus qui tam arcto erga S. Sedem, et S. Congregationem vinculo obstringitur, sui immemor ministerii, discordias disseminare audeat, Sacrorum Ministrorum honorem conculcare, qui sua pietate, doctrina ac dignitate in Clero praefulgent, populumque Catholicum excitare adversus proceres nobili loco natos, qui non minus conditione

[1] *Archives of Propaganda*, vol. 301, fol. 280 f.

sua quam generositate qua missionibus opitulantur, omni debent affici honore, atque observantia. Non id ex zelo procedit, ut Amplitudo tua sibi facile effinget, sed ex irrequieto quodam malignandi et conviciandi spiritu, quo dissensiones ac gravissima damna proficiscuntur: nam ut docet S. Jacobus (iii., 16) "Ubi zelus et contentio, ibi et inconstantia et omne opus pravum". Inter dotes quibus Episcopum praeditum esse oportere tradit Apostolus, ea est ut non sit litigiosus, de quo Pauli monitu verba faciens Ambrosius inquit, "Non linguam ad convitium relaxet Episcopus, ne per eamdem linguam per quam laudes refert Deo, et divina libat sacrificia, litium venena proferat, quia non decet de ore Episcopi benedictionem simul et maledictionem egredi, ne per eamdem linguam qua Deus laudatur homo maledicatur, quia non potest de uno fonte dulcem et amaram producere aquam". Postulat igitur et Religionis bonum et dignitas S. Sedis et Catholicorum pax ut hoc discordiarum semen evellatur; et quoniam editiones in Anglia liberae sunt, neque abominabile istud Diarium supprimi potest, vult tamen Sanctitas sua tibique in virtute sanctae obedientiae quam Summo Ecclesiae capiti praestare debes, jubet ac praecipit ne Amplitudo tua ullam amplius in posterum, directe vel indirecte, partem in eodem Diario suscipiat; non illud ullo modo promoveat ac patrocinetur, non illi materiam vel argumenta; vel multo minus operam quamcunque praebeat. Haud equidem dubito quin Amplitudo tua promptam ac plenam Sanctissimi D. N. Mandato obedientiam sit praestitura; ne ipsa in casu inobedientiae cogatur facultates a te revocare, et a Vicarii sui munere te removere.

II.

Bishop Milner to Cardinal Fontana. June 12, 1820.[1] (Extract.)

Paucis diebus post illas primas, recepi alias litteras objurgatorias et minaces datas 29 ejusdem Aprilis ab Eminentia Vestra, quae testantur non solum Eminentiam Vestram, sed et ipsam Sanctitatem Suam angi et "quadam indignatione" in me permotam esse, utpote "in auctorem, promotorem et subministratorem materiae, et argumentorum potissimum et pervulgatum" cujusdam diarii, quod "Orthodox Journal" nuncupatur; ideoque me jubent et praecipiunt in virtute obedientiae, et sub comminatione "facultatum mearum revocationis," ne amplius "partem" in illo diario "suscipiam," aut illud "promoveam aut materiam vel argumenta ipsius editori suppleam". Certo certius, Eminentissime Domine, haec notitia de offensa Suae Sanctitatis et Eminentiae Vestrae non minore dolore quam admiratione

[1] *Archives of Anglia*, vol. 7. Milner's own copy is also preserved at Oscott.

me afficeret, nisi palam constaret illam non alio fundamento niti, nisi illis obtrectationibus, et sussurris clancullariis aemulorum meorum, quae sive Romae sive in Anglia nunquam satiari possunt. Nam adeo, Eminentissime Domine, non "est res pervulgata" me esse auctorem aut promotorem &c. sive "potentissimum" sive "ullum omnino," ut e contra "pernotum" sit Catholicis dissidium et contentionem esse &c. et per menses fere 12 extitisse inter me et "Orthodoxi Diarii" editorem. Apparebit enim inspicientibus illud diarium pro mense Julio, et sequentibus mensibus quaedam epistolae acerbissimae et insolentissimae a quibusdam presbyteris in me nominatim conscriptae in defensionem "historiae" nuperae Anglicanae nimis profanae, quas epistolas editor declarat se contra nullum alium Vicarium Apostolicum praeter me editurum fuisse. Quinimmo plebe Anglicana per diversas provincias tumultuante, et revolutionem popularem minitante mense Augusti cum ego solus epistolam pastoralem typis mandassem qua presbyteros hujus districtus hortatus essem ut fideles catholicos in debita obedientia, et pace retinerent (quae epistola acceptissima fuit ministris regiis) praedictus editor in propria persona contra me surrexit et in me debacchatus est (ut videre licet in suo per mensem novembris numero) affirmans nullo modo ad personas ecclesiasticas pertinere de rebus politicis tractare, et emancipationem catholicorum longe facilius ope plebis quam ministrorum regalium obtinendam esse. Idem argumentum contra rationes a me adductas in pluribus aliis operis sui numeris persequitur. A principio hujus dissidii ne unam quidem lineam in praedictum opus contuli, unde judicabit Eminentia Vestra de qualitate et veritate aemulorum meorum, adeoque de necessitate literarum 29 Aprilis datarum, quae pectus meum tam acriter vulneraverunt, et nomini meo hucusque cum honore Sanctae Sedis conjuncto tam atrox stigma inussit.

Fateor equidem, eminentissime Domine, tempore anteacto, quando fama hujus diarii integra fuit, et ipsum diarium causae religionis, et Sanctae Sedis ut plurimum inserviebat, teste Cardinale vere eminentissimo et sancto, me saepius illo, sicut et aliis diariis usum esse (id quod fecerunt collegae mei, ipsorumque vicarii generales) sed nunquam nisi pro defensione religionis catholicae, aut utilitate ecclesiae. Illud etiam vere affirmare possum, ut rem aeque notam protestantibus et catholicis, me per hos triginta annos huic sanctae causae, posthabitis commodo proprio, gratia magnatum protestantium, et fama literaria, totum vovisse, praecipue autem auctoritati, juribus et famae Summi Pontificis vindicandis: unde non minorem admirationem inter protestantes quam inter catholicos hae literae 29 Aprilis, si ipsarum tenor evulgetur, certissime excitabunt. Quod ad infelices nostras controversias et dissensiones per illud longum tempus, quando quidem constet, Eminentiam Vestram eas minus perspectas habere

instanter rogo, ut librum quemdam, tribus ab hinc mensibus conscriptum quem ad illam missurus sum, ope Revmi P. Grandi, qui nostra lingua utitur, percurrere dignetur: interim sufficit mihi dicere partem, quam in iis dissidiis habui, approbatam, et suffultam fuisse a singulis Eminentiae Vestrae antecessoribus. Nam Emin. Card. Antonellus nomine Sanctitatis Suae reprobavit titulum, et juramentum "protestantium catholicorum dissidentium," quae nobiles nostri, annis 1789, 1790 et 1791 defendebant et parlamento obtulerunt, quibus oppugnandis, sicut et libris quorumdam eorum confutandis, qui omnem auctoritatem Summi Pontificis in Episcopis instituendis denegabant, me procuratorem suum constituebant Vicarii Apostolici illius temporis. Eundem tramitem secutus est sanctus et eruditus Cardinalis Gerdil contra coadjutorem hujus districtus Illmum Carolum Berington, et nobiles Cisalpinos ipsi cohaerentes, quique in signum suae approbationis, me infelicem, primus in episcopum designavit. Possum proferre longam epistolam, et ultra modum honorificam, qua me ad illam dignitatem a Summo Pontifice evectum esse nuntiavit Card. Borgia. Denique Emin. Card. Litta cujus memoria in benedictione est, meo memoriali, quod ipsius jussu confeceram, dum Romae versarer anno 1814, ab ipso et ipsius Concilio mature perpenso, et nonnullis meis libris de dissidiis nostris recentioribus perlectis, me ad se vocatum die 28 Junii ejusdem anni certiorem, fecit, "Memoriale istud approbatum fuisse me bene et secundum veritatem, causam Summi Pontificis et unitatem Ecclesiae vindicasse, me gratia Eminentissimorum Cardinalium et ipsius Pontificis frui; denique resignationem mei districtus quam obtuleram, accipi non posse". Non dubito, Eminentissime Domine, quin Beatissimus Pater hujus narrationis veritatem generatim confirmare posset. In praedicto examine agebatur de exitiali "quinta resolutione" Feb. 1, 1810; de "Billa schismatica" 1813, quae inde ortum duxit; de Blanchardistarum schismate, cui per tot annos unus e vicariis apostolicis solummodo se opposuit, vicarius apostolicus medii districtus; de "societate biblica nobilium catholicorum" caeterisque nostris dissidiis. Quod illo die Emin. Litta declaravit pluries repetivit per novem menses quos apud S. Sedem transegi, scilicet "me munus meum laudabiliter implevisse, et eodem quo antea tramite me incedere debere". Sed addidit (fateor enim) "cum majore moderamine et sine aliorum offensa," quod quomodo fieri posset, non intellexi. Ex altera parte me non esse litibus et dissensionibus excitandis, et fovendis deditum, ut quidam calumniantur, apparebit ex anteriore, et praesente statu districtus, et collegii mei Oscotensis. Districtus antea erat fons litium et schismatum, sed per annos 17 Sacra Congregatio forsan minus querelarum si ullam omnino quam ex alio quocumque districtu accepit. Collegium, quod ad docendos

juvenes "illuminatam pietatem," id est profanas novitates a quibusdam nobilibus institutum erat, nullo omnino sacerdote ibi ordinato, nunc antiqua et vera pietate aeque ac doctrina imbuit animos singulorum fere nobilium juvenum, qui non Stonyhurstii educantur. Interim plures clerici ibidem student non sumptibus nobilium, sed cleri, et vicarii apostolici eiusdem districtus, et hoc ipso anno tres ordinationes presbyterorum illuc habitae sunt.

Quoad illam probrosam et inauditam accusationem, me in fide et unitate ecclesiae, et S. Sedis auctoritate tuenda "non zelo, ut mihi persuadeo, sed irrequieto quodam malignandi et conviciandi spiritu" propelli, hoc dicere audeo, non multos illorum nobilium, quibus obviam ire coactus sum, "illam confirmaturos," et multo minus eorum posteros, dum mei libri, coeteraque monumenta dissensionum nostrarum, praecipue autem literae Eminentissimorum Cardinalium Antonelli, Gerdil, Borgia et Litta permanebunt. Nihilominus cum "delicta quis intelligit," nec de illa accusatione me purgare praesumo, sed illius misericordiae, qui me judicaturus est, committo. Illud solum affirmare audeo; me hypocritam non fuisse, sed quae sentiebam et sciebam semper dixisse, et scripsisse, et quae ad fidem et unitatem Ecclesiae catholicae, et ad Beatissimi Patris jura, et dignitatem tuendam, praecipue dum ipse, et fideles ipsius consiliarii in captivitate detinerentur semper egisse.

Verumtamem cum clare videam mentem esse Vestrae Eminentiae, non solum ut nil scribam in illo diario (quod finem facturum esse breviter suspicor) sed etiam, ut nullo modo obviam eam iis nobilibus, quorum laudes praedicat Eminentia Vestra mihi propositum est in futuro (nisi aliter decreverit Sacra Congregatio) nulli resolutioni, petitioni, scripto aut acto Societatis, quae nunc "British Catholic Board" nunc "Cisalpine Club" vocatur, contradicere, aut contraire, et quoniam ii scriptores, sive sacerdotes, sive laici, qui doctrinam et disciplinam nostrae sanctae religionis, praecipue autem auctoritatem, et jura Sedis apostolicae lacesseunt, ab iis nobilibus proteguntur, et foventur, horum errores amplius nisi urgente causa, non arguam, sed satis habebo meam propriam conscientiam et meum proprium ovile (dum illi praeero) ab errore et periculo erroris in quantum potero custodire. Illud solum peto, ut in excusationem mei silentii et requiei in quocumque futuro periculo S. Ecclesiae, fas mihi sit allegare voluntati, et praecepto Superioris mei Praefecti Sacrae Congregationis de Propaganda fide me obedire.

CHRONOLOGICAL TABLE OF EVENTS IN VOL. II.

1812.	May 8.	On the death of Bishop Douglass, Bishop Poynter succeeds as vicar apostolic of the London District.
	May 11.	Assassination of Perceval in the lobby of the House of Commons.
		Lord Liverpool becomes Prime Minister.
	June 22.	Canning's motion in favour of Catholics carried in the House of Commons by 235 to 106; rejected in the House of Lords nine days later by one vote—126 to 125.
	June.	Visit of Dr. Moylan, Bishop of Cork, to England. He endeavours to make peace between the Irish and English Bishops.
	Aug. 21-23.	Second Durham Meeting, Dr. Moylan, Dr. MacCarthy, his coadjutor, and all the vicars apostolic of England (except Dr. Collingridge) present.
1813.	Feb. 25.	Grattan's resolution in favour of Irish Catholics introduced. The division on March 2 shows a majority of 40 in his favour.
	Mar. 9.	Further resolution in Committee carried by 186 to 119.
	April 27.	Sir John Coxe Hippisley gives notice of motion for a select Committee on Catholic question.
	April 30.	Catholic Relief Bill introduced. First reading passed.
	May 11.	Hippisley's motion defeated by 245 to 203.
	May 13.	Catholic Relief Bill read a second time. Canning clauses circulated.
	May 19.	Bill in committee. Debate adjourned.
	May 19.	Milner arrives in London.
	May 21.	New clauses by Canning and Castlereagh circulated.

1813.	May 22.	Milner's "Brief Memorial" circulated.
	May 24.	Bill in committee. Speaker Abbott's motion excluding Catholics from Parliament carried by majority of 4. Bill abandoned.
	May 24.	Irish bishops in Dublin condemn Bill.
	May 29.	Meeting of Catholic Board. Expulsion of Dr. Milner from "Select Committee".
	May 29.	Irish bishops pass vote of thanks to Milner.
	June 15.	O'Connell's speech thanking Milner for his action.
	Aug. 1.	Dr. Poynter resigns Presidency of St. Edmund's College, to live in London.
	Oct. 25-30.	Third Durham Meeting: all the vicars apostolic of England and Scotland present except Milner. Pastoral composed confirming Fifth Resolution, and deprecating the restrictive clauses of the bill. It is adopted by all the bishops.
1814.	Feb. 16.	Quarantotti Rescript issued.
	Mar. 17.	The Pope set at liberty and starts for Rome.
	April 5.	Napoleon signs his abdication at Fontainebleau.
		Restoration of the Bourbons. Louis XVIII passes through London on his way to France, amid popular acclamations.
	April 27.	Quarantotti Rescript received in London.
	May 3.	Dr. Troy writes accepting the decisions of the Rescript.
		Milner starts for Rome, to protest against Quarantotti Rescript.
		Dr. Poynter starts for Paris, to reclaim the property of the Colleges.
	May 26, 27.	Meeting of Irish Bishops at Maynooth. Quarantotti Rescript condemned. Dr. Murray deputed to go to Rome and act with Milner in making representations on behalf of the Irish.
	May 24.	The Pope enters Rome. Milner arrives a few days later.
	May 27.	The Emperor of Russia and King of Prussia visit England, preparatory to the Congress of Vienna.
	May 30.	Cardinal Consalvi visits London.

1814.	June 5.	Dr. Poynter returns to London.
	June 20-24.	Fourth Durham Meeting: all the English vicars apostolic present except Milner, who is out of England. Quarantotti Rescript accepted as the decision of the Holy See.
	June 25.	Revocation of Quarantotti Rescript.
	July 5.	Cardinal Consalvi formally presented by Lord Castlereagh to the Prince Regent. He afterwards leaves London for Vienna.
	Aug. 7.	Bull "Sollicitudo" issued, re-establishing the Jesuits throughout the world.
	Nov. 28.	Dr. Poynter and Rev. J. Y. Bramston leave London for Rome.
	Jan. 14.	They arrive in Rome.
1815.	Jan. 17.	O'Connell denounces Consalvi for his negotiations with Lord Castlereagh.
	Mar.	Napoleon having escaped from Elba, again appears in France.
	Mar. 22.	News reaches Rome of approach of Murat's army. The Pope and Cardinals, etc., leave for Genoa, followed by Bishops Milner and Poynter.
	April 11.	Milner leaves Genoa to return to England.
	April 26.	"Genoese Letter," sanctioning Veto, but rejecting *Exequatur*, delivered to Dr. Poynter at Genoa. He returns to England, arriving in London on June 13.
	May 17.	Debate on Catholic question in House of Commons: adverse majority of 81.
	June 8.	Debate in House of Lords: adverse majority 26.
	June 18.	Battle of Waterloo.
	Aug. 23, 24.	Meeting of Irish Bishops. Dr. Murray and Dr. Murphy deputed to go to Rome to protest against sanction of Veto.
	Aug. 29.	Aggregate meeting in Dublin. O'Connell denounces Dr. Milner and Dr. Poynter. Father Hayes deputed to go to Rome.
	Dec. 2.	Cardinal Litta writes to Dr. Poynter that the Jesuits are not re-established except in countries where the Government "consents to receive and recall them".
	Dec. 4.	Dr. Poynter sets out on his second visit to Paris about the Colleges.

1815.	Dec. 27.	Meeting of Catholics at Newcastle protests against alleged persecution of Protestants in France.
1816.	Jan. 25.	English Colleges in France restored to their owners.
	Feb. 1.	The Pope writes to the Irish bishops confirming the Genoese letter.
	April 4.	Dr. Poynter returns to London.
	April 26.	Petition on behalf of (Irish) Catholic Board presented by Parnell.
	May 15.	Petition on behalf of "Seceders," based on Genoese letter, presented by Grattan. Adverse majority 31.
	June 21.	Debate in House of Lords: adverse majority 4.
	June.	Hippisley's Committee report on method of electing bishops in different European countries. He is answered by Milner and Lingard.
	Nov. 30.	Rev. Francis Tuite appointed by Rome as Coadjutor to Rev. John Daniel, President of Douay, with right of succession, in order to reclaim the College property.
1817.	Feb.	Dr. Milner ceases to be agent for Irish bishops. Dr. Everard appointed in his place.
	Mar. 4.	Captain Edward Whyte receives his Commission in Navy from Prince Regent, with arrears of pay.
		Act opening Army and Navy to Catholics introduced by Lord Melville in House of Lords and Mr. Croker in House of Commons and passed.
	May 9.	Debate on Catholic question in House of Commons: adverse majority 24. Peel declares his policy in opposition to emancipation.
	May 16.	Debate in House of Lords: adverse majority 52. General Thornton's motion to repeal Test Act defeated.
	July 10.	The Lulworth Trappists leave England at request of Home Secretary. They settle at Mount Meillerai in France.
	Aug. 5.	Foundation stone of new church at Moorfields laid by Dr. Poynter.

1817.	Oct. 21.	Dr. Poynter's third visit to Paris on behalf of the Colleges.
1818.	Jan. 18.	Test against Blanchardism imposed on French priests in London.
	Feb. 11.	Meeting of 3000 Protestants in the Rotunda at Dublin pass resolution in favour of Catholic emancipation.
	April 25.	The French Government agree to pay a capital sum to the English, in discharge of all claims for losses during the Revolution.
	May 4.	Dr. Poynter returns to London.
1819.	May 3.	Debate on Catholic question on motion of Grattan in House of Commons: adverse majority only 2.
	May 17.	In House of Lords, the adverse majority is 46.
	June 10.	Lord Grey's bill to abolish the Declaration against Transubstantiation as a qualification for certain offices thrown out by majority of 59.
1820.	Jan. 29.	Death of King George III. The Prince Regent succeeds as George IV.
	April 20.	Opening of new church at Moorfields.
	June 4.	Death of Grattan.

INDEX OF VOL. II.

Abbot, Right Hon. Charles, *see* Colchester, Lord.
Abercromby, Mr., 48.
Act of 1791 (England), 296.
— of 1793 (Ireland), 296.
— of 1817, 296, 297.
"Aggregate Meeting," meaning of, 142 *n.*
Aire, Bishop of, 167, 221, 224 *n.*, 226.
Alais, Bishop of, 229 *n.*
Albi, Bishop of, 224 *n.*
Ambigu, the, 172.
Amherst, *History of Catholic Emancipation*, 55 *n.*, 60, 78, 95, 138, 251, 273.
Andrews, W. E., 38, 173; purpose in founding *Orthodox Journal*, 173, 174; admirer of Milner, 174; attacks on Dr. Poynter, 175, 176; on Roman authorities, 177; falls out with Milner, 186; 274, 287, 299.
Angoulême, Bishop of (Mgr. Albinac), sends Dr. Poynter Trevaux's disclaimer, 5; 224.
Angoulême, Duchess of, 261.
Annual Register, 245 *n.*
Antonelli, Cardinal, 73.
Apostolic Union, the, 102 *n.*
Archer, Rev. James, 165, 217, 218, 230; publishes sermons, 270, 272.
Army, Irish Catholic soldiers in, 234; Commissions thrown open to Catholics, 296.
Arundell, Lord, of Wardour, 35 *n.*
Assinden, 290.
Associated Charities, the, 160.
Athanasio, Mgr., 79.
Augustine, Dom, Abbot of la Trappe, 168.
Avignon riots, 236-238.

Baldi, Mgr., 280.
Barrett, Mr. Bryant, 263.
Bath, 229.
Bathurst, Canon, 251 *n.*
Bathurst, Dr. Henry, Bishop of Norwich, 251.
Bathurst, Lord, 86, 87.
Bedford, Duke of, 121.
Begbroke, 276 *n.*
Benedictine houses in France, 267.
— nuns of Caverswall, 185 *n.*
— convent at Hammersmith, 167.
— — at Winchester, 167.
Beneficent Association, 160 *n.*
Bentinck, Lord William, 121, 133, 143.
Berington, Rev. Joseph, 270, 272, 281, 303; with Kirk edits *Faith of Catholics*, 217.
Bevet, Mgr., 224 *n.*
Bew, Rev. John, President of St. Edmund's College, 157; 255, 256, 259, 260; attempts to reclaim college property in France, 260-263; 267-269.
Bible, English Catholic editions of, 190, 193, 194, 199.
— Society, Catholic, 66.
— Societies, 186, 188, 189, 190, 191, 192, 195, 198.
— and Catholic Children, 162, 164, 165.
Birmingham archives, 88 *n.*, 130, 182 *n.*, 276 *n.*
"Black Cardinals," 71.
Blackmore Park, 205.
Blair, Mr., 191, 195.
Blake, Mr., 45, 46.
Blanchard, Abbé, 6, 18, 141, 226, 227, 228, 229, 230.
Blanchardists, 19, 20, 224.
Blanchard's Schism, 76, 170, 186, 217, 222.
Blois, Bishop of (Mgr. de Themines), 224, 225, 230.
Blount, Sir Edward, 121.
Blue Books, the, 27, 28, 69, 288.
Board, Catholic (English) issues address (1813), 23; new resolution proposed, 23, 24; withdrawn, 26, 27; the petition, 27, 29; vicars apostolic, to be members, 27, 50; resolution (March, 1813), 29; scripture committee, 29, 46; meeting at Stanhope Street, 50; Milner expelled from committee, 53-56; vicars apostolic consulted as to possible Veto, 57, 62, 77; satisfaction with

pastoral, 66; petition prepared (1814), 85; satisfaction with Quarantotti rescript, 87; anxiety, 94; 95; address to Pius VII., 95, 96: presented, 116; satisfied with Genoese letter, 137; combatted by *Orthodox Journal*, 173; Milner's account of aims of the Board, 184; takes up Bible question, 191; "Roman Catholic Bible Society" founded, 191, 194; petition Rome against Dr. Poynter's rumoured removal, 213; Emancipation policy, 233; protest against Nismes Riots, 237; deputation to Lord Liverpool, 249; so-called "Veto Petition," 249; suggested Bathurst bust, 251; negotiations of individual members on Oath of Supremacy, 252; vote of thanks to Earl Grey, 252.
Bodenham, Mr., 55.
Bonney, Rev. E., 278 *n.*, 282.
Borgia, Cardinal, 73 *n.*, 74.
Boulogne, Bishop of, 221.
Bourbons, restoration of, 169, 170, 223, 236.
Bourges, Archbishop of, 224 *n.*
Bramston, Rev. James Yorke, on Trevaux, 6; early life of, 6-9; assists at Durham Meeting, 13-15; opposes new Resolution (1813), 24; 66, 88, 96, 99, 105; goes to Rome with Dr. Poynter, 117-119, 122, 124, 126; and veto, 127, 128, 129; 131, 132, 133, 134, 156, 165, 168; on Milner, 182, 258, 265.
Bramston Diary, 82, 117 *n.*, 121, 127, 129, 131, 137.
Brancadoro, Cardinal, 134.
Braschi, Cardinal, 112, 119, 121.
Brentwood, 158.
Brewer, Rev. J., O.S.B., 267.
Brighton, 259.
Bristol, 67, 68, 181.
British Press, the, 184.
British Critic, the, 202.
Brockhampton, 155.
Buckland, 270.
Buff Book, the, 70.
Bureau Gratuit de Surveillance, the, 256, 260, 262, 264, 269.
Burgess, Dr., Bishop of St. David's, 284, 287.
Burns and Oates, 192.
Burton, *Life of Challoner*, 200.
Butler, Rev. Alban, 273, 281.
Butler, Charles, influence on Bramston, 7; "Address to the Protestants of Great Britain," 23; reconciled to Milner, 27; drafts Relief Bill (1813), 28; on the oath therein, 31; Canning and Castlereagh clauses, 35-39; answers Milner's *Brief Memorial*, 44; on Macpherson's journey to Rome, 72 *n.*; alleged influence on Poynter, 104, 122; stays away from meeting to hear Genoese Letter, 137; supports Mr. Finigan's school, 162; Shadwell school, 163; undenominational schools, 164; Milner's asperity concerning him, 178; founds *Catholic Gentleman's Magazine* (1818), 186; Bible Society, 194; on modification of oath of supremacy, 252; last interview with Grattan, 253; his appreciation of Milner, 274; on the *End of Controversy*, 287; memorial to Cardinal Fontana, 274; attacked by Milner, 76, 104, 122, 175 *n.*, 195, 218, 248, 289, 290, 291, 292, 293, 294, 295, 296, 300, 301.
Books: *Historical Memoirs of English Catholics* (Jan., 1819), 272, 288; "Vindicator's" violent personal attack, 289; Butler's reply, 291; Milner admits he is "Vindicator," 291; he suggests insulting epitaph for Butler, 291, 292; Butler's forbearance, 23; publishes Poynter's *Apologetical Epistle*, 298. *Historical Memoirs* cited, 23 *n.*, 31 *n.*, 35 *n.*, 39, 82 *n.*, 95, 116 *n.*, 149 *n.*, 247 *n.*, 249 *n.*, 254; *Reminiscences*, 288 *n.*, 289 *n.*
Letters: to Dr. Kirk, 162; (1819), 293; to Dr. Troy (May, 1813) 137; to Dr. Gradwell (1822), 251; to a friend in Rome (Jan., 1821), 298; on his parting with Grattan (May, 1820), 253.

Cambridge, Trinity College, 7.
Cameron, Bishop Alexander, 58, 59, 60, 63, 96, 170, 264.
Canada, 169, 240 *n.*
"Candidus," 282, 292, 293.
Canning, 2, 3, 30; veto and commission proposal, 32, 33; in communication with Dr. Troy, 33, 40; clauses revised, 35, 43; condemned by Irish bishops (May 25, 1813), 36, 38, 41; rejected in committee, 49; 57, 62-66, 140, 239, 243, 248.
Cappacini, Mgr., 232 *n.*
Carcassonne, Bishop of, 224 *n.*
Carron, Abbé, returns to France, 155; 296.
Cashel, 248.
Castlereagh, Lord, 2, 3, 29, 35, 38, 40, 48, 86, 94, 127, 132, 133, 143, 151,

204, 214, 235, 238, 239, 243, 248, 249 *n.*, 257, 258, 265, 266.
Catholic Bible Society, 29, 189-204; foundation, 191; aims, 193; stereotyped New Testament, 193, 199; Milner's attacks on, 194, 195, 196, 200, 201; title dropped, 192; condemnation of Polish Bible Society, 196; Lord Clifford's apologia, 197; Horrabin's New Testament, 199.
— Committee, 27, 44, 295, 303.
— Directory, 172, 173, 229 *n.*; see also *Laity's Directory*.
— Emancipation: Ministerial crisis (1812) 1-4; petition (1813), 27; Grattan's (Irish) Resolution, 28; Butler to draft Relief Bill, 28; "Securities," 28, 29, 32; first reading of Relief Bill (1813), 29; second ditto, 30; Canning's clauses, 32, 34; Castlereagh clauses, 35, 36; rejected by Irish Bishops, 36-38, 41; Dr. Poynter's attitude, 39, 40; Milner's *Brief Memorial*, 44; Castle Street meeting, 45-48; Bill in Committee, 47; defeat of clause admitting to Parliament, 49; bill abandoned, 49; hopes of new bill, 57; Durham Resolutions, 62, 63; Butler's scheme (1814), 85; Lingard's scheme, 85; Grattan presents petition, 90; problems in Rome, 100-103; Consalvi-Castlereagh negotiations, 132, 133, 155; Genoese letter, 135-137; effect on prospect of emancipation, 140; English Catholics' eagerness for emancipation, 170; question continually raised in Parliament, 233; "Unconditional Emancipation" party, 233; policy of Catholic Board, 234; Petitions (1815), 140; (1816), 234; Act of 1817, 247; apathy in 1818, 248; so-called veto petition (1819), 249; Irish Protestant Petition, 250; Earl Grey's Bill (1819), 251; gloomy prospects, 252, 254.
— Fund, the, 191, 192, 194.
— *Gentleman's Magazine*, the, 186.
— *Magazine*, the, 172.
— Truth Society, 192.
"Catholicon," 186.
Catholics, English, disabilities, penalty for obtaining a bull, 39; Butler's scheme to put them on same footing as Irish, 85; "Societas Libera" of clergy, 102; devotion to Sacred Heart, 102, 103 *n.*; and Irish, 126; vicars apostolic attacked by O'Connell, 148; Bible study, 163; education question, London problems, 160-164; Parliamentary commission, 164, 165; Associated Catholic Charities, 160; nuns lose Government help, 165; but remain in England, 166-168; prayers for king, 169; laity anxious for emancipation, 170; periodicals, 172-174, 186; vicars apostolic and Milner, 180; strength of Milner's following, 180-182; London clergy and Milner, 182; vicars apostolic view of Milner, and vice versa, 182-188; attitude to Bible, 190-201; protest against religious persecution, 235; allowed to hold commissions (1817), 246; objects of colleges in France "superstitions," 264; tone of "no-Popery" controversy, 284. *See also* Vicars Apostolic.
Catholics, Irish, Dr. Poynter's letter to Irish bishops on Trevaux case, 4; Dr. Gibson's statement, 10; Dr. Poynter's letter to Dr. Moylan, 16; bishops call for copy of retractation, 18; bishops condemn Canning's proposals (1813), 36-38; attitude of clergy, 33, 34; lay meeting thank Milner, 56; bishops state case against English vicars apostolic, 75; anger at Quarantotti rescript, 89; meeting of bishops, 90; attitude to Genoese letter, 138, 145, 146; laity and Genoese letter, 142-154; bishops' uncompromising opposition to veto, 145; Pope's reply, 149; "Domestic Nomination," 152; bishops and Dr. Poynter, 170; Irish editions of Bible, 190; 201, 202, 203, 204; resolution against religious persecution, 237; bishops and Genoese letter, 242; Irish soldiers at Waterloo, 234; enabled to hold higher commissions, 246; Irish college in Paris, 256, 263; founding of Maynooth, 266; bishops and Lingard, 283; bishops and Milner, 296.
Caverswall Castle, 185.
Challoner, Bishop Richard, 190, 193, 194, 196, 200, 281.
Chamberlayne, Rev. George, 155.
Charity Schools, 160.
Charlemont, Earl of, 250.
Chauvin, Abbé, 226.
Chêne, Abbé, 226.
Chepstow, 12.
Chisholm, Bishop Eneas, 59.
Chisholm, Bishop John, 58, 59, 60, 61; letter to Milner (Jan., 1814), 60; to Dr. Poynter (Jan., 1814) 61,

Cisalpine Club, 69, 122, 188, 292, 297, 298.
Cisalpines, 144, 302, 303.
Cleghorn, Mr. Thomas, 267.
"Clementines," 222 *n.*
Clifford, Lord, 24, 26, 27, 28, 35 *n.*, 45, 46, 59, 69, 196, 199; letter to Dr. Poynter (Aug., 1815), 197; 294.
Clifford, Hon. Robert, 46, 52, 53, 199.
Clifton Archives, 24, 28, 45 *n.*, 57, 62 *n.*, 67 *n.*, 114 *n.*, 126 *n.*, 138 *n.*, 278 *n.*
Colchester, Lord (Mr. Speaker Abbott), 29, 48, 49, 250, 251.
Colleges in France, British, amalgamated, 255; Ferris superior, 256, 259; efforts to recover, 256; the *Bureau*, 256, 260; difficulties with Ferris, 259-264; renewal of British claims, 264-266; Ferris ordered to resign, 266; Colleges restored to their owners, 267; conditions, 267.
Collingridge, Bishop Peter Bernardine, 12, 24, 25, 26, 44, 45, 46, 57, 59, 63, 67, 68, 98, 114, 126, 137, 138 *n.*, 167, 169, 170, 182, 185, 242, 243, 278.
Concordat, the, at Restoration, 223, 228.
Consalvi, Cardinal, 87, 91, 92, 93, 94, 97, 98, 101, 112, 127; negotiations with Castlereagh, 132-133; text of, 319-325; 139, 143, 146, 149, 150, 151, 177, 213, 223, 262, 279, 280.
Cooke, Mr. Edward, 127, 128, 139.
Coombes, Rev. William, 67, 181.
Coombes, Rev. William (jun.), 181.
Coppinger, Dr., Bishop of Cloyne, 88.
Cork, 90, 201, 246.
Corner, Rev. John, 286.
Coyne, Messrs., 201, 276.
Croker, Mr., 247.

Dagnani, Cardinal, 122, 129, 134.
Damiani, Father, 210, 216, 218.
Daniel, Rev. John, 256, 267, 268.
Darlington, Poor Clares at, 167 *n.*
Dawn of Catholic Revival, 44, 49 *n.*, 168 *n.*, 258 *n.*, 284 *n.*, 292 *n.*
de Bausset, Cardinal, 224 *n.*
de Bernis, Mgr., 224 *n.*
de Blacas, Count, 261.
de Coucy, Mgr., 2.
de la Fare, Mgr., 224 *n.*
de Lisle, March Phillipps, 169 *n.*
de Merinville, Abbé, 229.
Derry, Dr., Bishop of Dromore, 88.
des Forges, Abbé, 158.
de Themines, Mgr. *See* Blois, Bishop of,
de Trevaux. *See* Trevaux.
Devoti, Mgr., 79.
Dieulouart, 263.
Digne, Bishop of, 224.
"Domestic Nomination," 152.
Donoughmore, Earl of, 33, 34, 90, 235, 246, 250.
Douay, Benedictine house at, 267; St. Gregory's community give way to St. Edmund's of Paris, 268.
— Bible, 164.
— English College, 170, 265, 267, 268, 275.
— Scots College, 258.
— Funds, 123.
Douglass, Bishop John, 6, 16, 17, 18, 19, 205, 255, 284, 296 *n.*
Downside, 267.
Dublin, 250.
— Archiepiscopal Archives, 33 *n.*, 39 *n.*, 76 *n.*, 114 *n.*, 125, 131 *n.*, 138 *n.*, 248 *n.*
Dublin Daily Chronicle, the, 149, 150.
Duigenan, Dr., 29, 30.
Durham Meeting (1812), 12-15; (1813), 57-66, 176; (1814), 96-98.

East Sheen, 205.
Education question, 160, 165.
Eldon, Lord, 250.
Elliott, Right Hon. Mr., 28, 86, 239, 253.
Ellis, Bishop Philip, 100 *n.*
Ems, synod of, 75.
Erskine, Cardinal, 91, 92, 94.
Esmonde, Sir Thomas, 148.
Eustace, Rev. J. Chetwode, 120, 187, 270, 272, 281.
Everard, Dr., coadjutor of Cashel, 248, 264.

Faith of Catholics, the, 270, 272, 303.
Farquharson, Rev. Mr., 258, 259, 264, 267.
Ferris, Rev. Richard, superior of united British Colleges, 256, 259, 260, 261; loses all but Irish College, 262; loses Irish College, 263; re-instated by Napoleon, 263; ordered to resign, 266; 267, 268; his accounts, 268, 269.
Fesch, Cardinal, 122.
Fifth Resolution, 23, 24, 45, 63, 67, 69, 122, 140, 184, 186, 188, 242, 243, 244, 292, 299.
Fingall, Earl of, 33, 35 *n.*
Finigan, Mr. Thomas, 161, 163.
Firrao, Sister Mary Agnes, 113-115.
Fitzherbert, Mrs. 226.
Fletcher, Rev. John, 270, 272, 282.
Fontana, Cardinal, 210, 223, 274, 341; letter to Milner (Ap. 1820), 341.
Freemasons' Quarterly Review, 144 *n.*

French bishops in England, 221, 224.
— refugee priests return to France, 155.
— clergy in England, 224, 225; number in 1818, 229 *n.*
Fryer, Rev. W., 99.

Galeassi, Signor, 79, 82.
Galeffi, Cardinal, 111.
Gandolphy, Rev. Peter, 161; his circular to convents, 167, 217; admirer of Milner, 182, 206; and Bible Society, 190; his *Congratulatory Letter to Rev. Herbert Marsh* (1812), 190, 206; on condemnation of Polish Bible Society, 196; early career, 205; writes *Defence of Ancient Faith* (1810), 206, 219; publishes *Liturgy, or a Book of Common Prayer* (1813), 206; vicars apostolic object to it, 207; republishes (1815), 209, 219; and volumes of sermons, 209; in conflict with Dr. Poynter, 209; interview with Cardinal Litta, 209; obtains Roman *Imprimatur* for his books, 210; declines to withdraw them, 211; suspended, 211; his *Address to the Public*, 211; appeals to Cardinal Litta, 211; directed to apologise, 212; the apology, 213; case referred to Index, 214, 218; Dr. Poynter's list of errors, 214, 216; his *Expositio Apologetica* (1818), 218; works condemned by Index, 218; his *Vetoism Illustrated* (1819), 219; eventually makes submission, 219; retirement and death, 220, 227 *n.*, 236, 272; appeal of English and Scotch bishops to Pope in favour of Dr. Poynter (June, 1816), 334; appeal of London clergy (June, 1816), 335; Milner's letter (Dec., 1817), 338.
Gaschet, Abbé, 226, 228, 229, 230.
Genezzano, 111.
"Genoese letter" (April, 1815) contents, 135-137; alarmist rumours in Ireland, 142-145; anti-veto resolutions of Irish bishops, 145; O'Connell's speech, 146; deputation to Rome, 149; result, 149, 153; lay remonstrance, 148, 153; Father Hayes in Rome, 149; Genoese letter published (Dec., 1815); violent reception in Ireland, 149-151; second lay remonstrance, 153; Pope's reply, 153; 182, 241, 242, 243, 244.
George III., 253.
Gerdil, Cardinal, 73 *n.*
Ghent, 184 *n.*
Gibson, Bishop William, 9, 10, 12, 15, 24, 25, 58, 60, 62, 108, 111, 112, 113, 157, 167, 182, 185, 242, 264.
Gillow, Mr. Joseph, 7 *n.*
Gillow, Rev. John, 13.
Globe, the, 184.
Gnesen, Archbishop of, 196, 197.
Gnesen, 209.
Gormanston, Lord, 35 *n.*
Gosfield, 167.
Gosport, 156.
Gradwell, Rev. Robert, 210, 251, 277, 283 *n.*, 299, 304.
— letters, 217 *n.*, 338 *n.*
Granville, Lord, 2, 3, 252.
Grattan, 28, 29, 30, 33, 34, 47, 48, 57, 90, 140, 234, 239, 245, 248, 250, 253, 254.
Green, Rev. Stephen, 113, 156.
Greenwich, 156.
Grey, Earl, 2, 3, 29, 86, 198, 240, 250, 251, 257.
Griffiths, Rev. John, 155, 156.
Griffiths, Rev. Thomas, 158, 182.
Guernsey, 229.

Hampstead, 158.
Hanover, 196.
Haydock, Rev. George, 190.
Haydock, Thomas, 190.
— Bible, 190.
Hayes, Father, 148, 149, 152, 153, 154.
Hertford, 158.
Hexham, 189.
Hippisley, Sir John Coxe, 29; motion for Select Committee, 29; publishes Milner's letters, 30; 32, 40, 41, 48, 57, 72 *n.*, 129; collects evidence on election of bishops, 238; moves for Select Committee, 239; its report, 240; 298.
History of St. Edmund's College, 8 *n.*
Hodgson, Rev. Joseph, 8, 53 *n.*, 123, 175, 245 *n.*
Holland, Lord, 280.
Hornby, 157, 226.
Hornyhold, 205.
Horrabin, Rev. Richard, 163, 165, 199.
Horsham, 158.
Horsley, Dr., Bishop of St. David's, 49, 284.
Howard, Mr., of Corby, 187.
Howick, Lord. *See* Grey, Earl.
Huguenots, 236.
Hume, 278.
Hunt, Rev. Joseph, 159.
Husenbeth, Rev. F.C., 42 *n.*, 60, 179, 282.

Irish Catholics in England, 156, 158, 160, 161, 163, 181, 182. *See also* Catholics, Irish.

Irish Protestant petition for emancipation, 250.

JERNINGHAM, Edward, 26, 27, 52, 62, 69, 116, 137, 245 *n.*, 250, 252, 293.
Jersey, 229.
Jesuits, vicars apostolic on rumoured Restoration, 98; restored, 107; question of restoration, 170, 181.

KEATING, Mr., 44, 181, 186.
Kenmare, Lord, 35 *n.*
Kiernan, Mr., 46.
Kimbell, Rev. Joseph, 59, 156.
Kirk, Rev. John, 4 *n.*, 162, 168, 180 *n.*, 270, 271, 275, 278, 282, 293, 296, 303.
Kirk Papers (Oscott) 4 *n.*, 162, 168 *n.*, 222 *n.*, 293 *n.*, 302 *n.*

LAITY'S DIRECTORY, 106, 168, 173, 228.
Laon, 263.
La Rochelle, Bishop of (Mgr. de Coucy), 224 *n.*
La Trappe, Abbot of, 168.
Le Cordière, Abbé of, 229.
Leinster, Duke of, 250.
Le Mans, Bishop of, 227.
le Meillerai, 169.
Leo XII., 229 *n.*
Lichfield, 180 *n.*
Liége Academy, 205.
Lincoln's Inn, 178.
Lindsay, Rev. N., 240 *n.*
Lingard, Rev. John, 85, 113, 157, 158; pamphlet in answer to Hippisley on election of bishops, 240; relations with Milner, 274; his *Anglo-Saxon Church*, 275; retires to Hornby, 276; visits Rome, 278; publishes three vols. of his *History*, 280; attacked by Milner, 280-283; subsequent editions, 283; letter to Rev. J. Kirk (Dec., 1818), 275; to Rev. R. Gradwell (June, 1819), 277; (end of 1819), 278.
Lingard, Mrs., 275.
Lisbon, English College, 7, 9, 119.
Litta, Cardinal, 71 *n.*, 78; Prefect of Propaganda, 94, 100 *n.*; letter of vicars apostolic, 97; Milner's Memorial, 101; letter to Dr. Poynter and Dr. Troy, 101; Milner's accusations against Dr. Poynter, 103-106; Macpherson and the Rescript, 108; suggests opening English College, 112; 120, 121, 122, 123; Dr. Poynter's statement of English Catholics' case, 123; leaves Rome, 128; sees Dr. Poynter at Viterbo, 129; at Genoa, 132; Genoese letter, 133-137; reply to protest against Milner's letters, 139-142; 146, 152, 166; tells Milner to avoid interfering in other districts, 172; on Milner's contributions to *Orthodox Journal*, 179; letter to Dr. Poynter (Jan., 1818), 179; reprimands Milner, 183, 205; letter to Dr. Poynter (Nov., 1816), 211; on Gandolphy, 209, 210, 211, 219; on Milner's interference in London district, 222; 252; and Lingard, 278; 299; letter to Dr. Poynter (July, 1814), 326; (Dec., 1815), 331.
Liverpool, Lord, 2, 3, 166, 172, 250, 252.
London—
  Chelsea, 226.
  Kingsland, 158.
  King Street Chapel, 226, 228.
  Lincoln's Inn Chapel (Sardinian), 7, 45, 193.
  South Street Chapel (Portuguese), 99 *n.*
  St. George's Fields, 6, 7, 8, 155, 165, 182.
  St. Patrick's, Soho, 98, 160, 161, 162 *n.*
  Somers Town, 169.
  Spanish Chapel, 161, 190, 205, 220.
  Virginia Street Chapel, 158, 163, 199.
  Associated charities, 160.
  Clergy appeal to Rome on behalf of Dr. Poynter, 213.
  French clergy in, 221, 224, 225, 226, 228.
Long, Rev. Paul, 263, 267.
Longuet, Rev. François, murder of, 155.
Louis XVIII., 86, 223, 225.
Lulworth, 59.
Lyons, 236.

McCAFFREY, *History of Church in Nineteenth Century*, 149 *n.*
McCarthy, Dr., Coadjutor of Cork, 9, 13, 18, 138 *n.*
McDonnell, Rev. Charles, 156.
McMahon, Dr., 256, 269.
McNulty, Father, 262.
Macpherson, Rev. Paul, 72, 73, 74, 76-79, 84, 95, 96, 97, 99, 100, 103, 104, 105, 109, 111, 112, 113, 116, 117, 119, 120, 156, 181, 208, 221, 255.
Manchester, 190, 234.
Marsh, Rev. Herbert, 190.
Marsh, Rev. R., O.S.B., 263.
Master of the Sacred Palace, the, 210, 211.
Mawman, Mr., 280, 281.
May, *Parliamentary Practice*, 29 *n.*
Maynooth, 283.

Meath, Earl of, 250.
Mechlin, Archbishop of, 231.
Melville, Lord, 247.
Memoirs of Consalvi, 92 *n.*, 93 *n.*
Menzies, Mr., 46.
Mildmay, Sir Henry, 198.
Milner, Bishop John, his advocacy of veto, 10, 147; on Trevaux case, 5, 6; objects to Bramston being coadjutor, 8, 9; confers with Bishop Moylan, 12, attends Durham meeting (1812), 12-15; on Dr. Poynter's letter, 17 *n.*, 19-22; reconciled to Butler, 27, 50; *Restatement of Conference*, 28; writes against Hippisley, 30; on proposed oath (1813), 31; ascribes Canning's clauses to Butler, 38; on the clauses, 41; comes to London to oppose them, 42, 48; writes *Brief Memorial*, 44, 49-51; Castle Street meeting, 45-48; success of his opposition, 49, 50; at Catholic Board meeting, 50; postscript to *Brief Memorial*, 52; expelled from Committee of Catholic Board, 53-56, 175-176; his protest, 53-55; thanked by Irish bishops and laity, 56; not invited to Durham Meeting, (1813), 57, 59-62; his Encyclical letter, 68; Poynter's letter, 70; Quarantotti's letter, 74; Milner replies, 75; on origin of rescript, 81; summoned to Rome, 87; journey to Rome, 88, 95, 258; audience of Pope, 100; memorial to Litta, 101; second audience with Bishop Murray, representing Irish, 102; account of English Catholics to Litta, 103-104; accuses Poynter, 106-108; tour in Apennines, 109-111; suggestion to retain him in Rome, 112, 129, 131; interview with Sister Mary Agnes Firrao, 114-115; draws up veto scheme for Litta, 125; follows the Pope to Genoa, 129, 130; sees Litta, 131; returns to England, 131; Genoese letter, 133, 134; in no hurry to publish it, 137; letter to *Orthodox Journal* on his visit to Rome, 138; letter to Litta, 139; reprimanded in Litta's letter to Poynter, 141; advocates acceptance of Genoese letter in Ireland, 145; attacked by O'Connell, 147; who apologises, 150; attitude on question of nuns' habits, 167, 217; pamphlets against Poynter, 170; his use of Press, 172; writes in *Orthodox Journal*, 178; recommended to abstain, 179; writes anonymously, 179; strength of his following, 180; attitude of vicars apostolic, 182; self confidence, 183; reply to Litta, 183; takes leave of Bishop Gibson, 185; falls out with Andrews, 186; his *Orthodox Journal* articles delated to Rome, 187; ordered to cease writing, 187; his reply, 188; opposes Catholic Bible Society, 192-195; approves Gandolphy's *Liturgy*, 208; attacks Poynter in defence of Gandolphy, 218; Milner and French clergy in London, 222; Litta on Milner's interference, 222; Milner on Poynter's anti-Blanchardist action, 227; signs petition for unconditional emancipation, 234; condemns Newcastle Resolutions, 238; publishes *Humble Remonstrance*, 240; attitude to Poynter's resolutions, 243; satisfied with pastoral of Bishop Collingridge, 244; ceases to be agent of Irish bishops, 248; interview with Lord Liverpool, 252; Milner and contemporary Catholic writers, 272; antipathy to Butler, 272-274; distrust of Lingard, 274, 277; attacks his *History*, 281-283, 292; publishes *End of Controversy*, 283-287; violent attack on Butler's *Historical Memoirs*, 289-293; suggests he should add notes, 293; "Candidus" on Milner's "Butler-haunted" mind, 293; publishes *Supplementary Memoirs*, 294-296; *Additional Notes* thereto, 300; suggests *Apologetical Epistle* to be a forgery, 300. Agent to Irish bishops, 54, 56, 59, 69, 74, 90, 102, 105, 126, 129, 131, 146, 196; ceases to be agent, 248.
Publications: *History of Winchester* (1798), 278; *Letters to a Prebendary* (1800), 274 *n.*, 279; *Letter to a Roman Catholic Prelate of Ireland* (1811), 273 *n.*; *Explanation with Dr. Poynter* (1812), 10, 11 *n.*, 124; *Pastoral* (1813), 5 *n.*, 19-22; *Restatement of Conference* (1813), 28; *Brief Memorial* (1813), 44, 49, 51, 52, 54; *Encyclical Letter* (1813), 68; *Humble Remonstrance* (1816), 240; *End of Controversy* (1818), 272, 274, 276, 282, 284, 285, 286, 287; *Supplementary Memoirs* (1820), 293-295; cited, 9 *n.*, 13, 14, 17, 31 *n.*, 38 *n.*, 41 *n.*, 44, 47 *n.*, 52, 53 *n.*, 58 *n.*, 61 *n.*, 67 *n.*, 75 *n.*, 77, 193 *n.*, 200, 201, 243, 245,

317; *Additional Notes* (1821), 300, 301.
Letters: to Rev. P. Gandolphy (Dec., 1817), 338; to Bishop Gibson (April, 1818), 185; to Card. Fontana (June, 1820), 342; to Cardinal Litta (1814), 183; to Dr. Murray (March, 1819), 248; to Dr. Poynter (May, 1813), 42; to Dr. Troy (Jan., 1813), 76; (July, 1815), 138.
Monte Porzio, 111.
Montesquiou, Abbé, 260, 262.
Montesquiou Fezensac, duc de, 260.
Morel, Abbé, 158.
Moroni, 71 *n.*
Moulins, Bishop-elect of (Mgr. de la Tour), 224 *n.*
Mount St. Bernard, Leicestershire, 169.
Mount Melleray, 169 *n.*
Moylan, Dr., Bishop of Cork, 9, 10, 11, 12, 13, 15, 18, 19, 92, 99, 138 *n.*
Murphy, Dr., Bishop of Cork, 138.
Murray, Dr., Coadjutor of Dublin, 90, 102, 109, 125 *n.*, 129, 131 *n.*, 146, 204, 242, 248.

Nancy, Bishop of, 224 *n.*
Nantes, Bishop of, 224 *n.*
Napoleon, 71, 86, 87, 92, 108, 128, 143, 168, 169, 223, 236, 263.
Newcastle-on-Tyne, 235, 236; the Nismes Riot Resolutions, 237.
New Hall Convent, 167.
Newman, Mr. John, 159.
Newport (Isle of Wight), 205.
Nielsen, *Papacy in Nineteenth Century*, 92 *n.*
Nismes riots, 236.
Nolan, Rev. J., 275.
Norfolk Chronicle, the, 173.
Norfolk, Duke of, 235.
Norris, Rev. Edward, 162, 165.
North, Lord, 273.
Norwich, 173, 234, 251.
Nugent, Lord, 250.

Oath of allegiance in Genoese letter, 135.
— — supremacy, 247, 251, 252.
— in Act of 1791 (English), 31.
— — — 1793 (Irish).
— proposed in 1813, 31.
Observanda, the, 67.
O'Connell, Daniel, testimony to Milner, 56, 140; on Consalvi-Castlereagh negotiations, 142; a freemason, 144 *n.*; adheres to the bishops' opposition to veto, 146; attacks Milner, 147; speech on Rheims Testament, 202; leads party for "unconditional emancipation," 233, 240; protest against religious persecution, 237; on apathy of 1818, 248.
O'Connell, John, 248.
O'Connell's Speeches (edited by his son) 56 *n.*, 142 *n.*, 202 *n.*, 248 *n.*
O'Conner, Mr. Owen, 148.
O'Finan, Father, 210, 216, 222 *n.*, 283.
Old Hull Green Academy, 52.
O'Leary, Father, 7.
Ompteida, Baron, 151.
Organic Articles, the, 223.
O'Reilly, Dr., Archbishop of Armagh, 10, 15.
Orthodox Journal, the, 41, 43 *n.*, 50 *n.*, 60 *n.*, 71 *n.*, 77, 88, 98, 108, 109-111, 138, 149 *n.*, 150 *n.*, 153 *n.*, 162 *n.*, 195 *n.*, 196 *n.*, 200, 203, 210, 213 *n.*, 214, 225 *n.*, 227, 243 *n.*, 249 *n.*, 250, 272 *n.*, 274 *n.*, 275 *n.*, 279, 281, 282, 289, 293, 299, 317, 337, 341; founded, 172; to combat Catholic Board, 173-174; its tone, 174-177; supported by Milner, 177-180, 184; incurs Milner's displeasure, 186; Milner's articles delated to Rome, 187; consequence, 187, 188; ceases to appear, 188.
Oscott College, 103 *n.*, 157.
Oscott archives, 4 *n.*, 162 *n.*, 168 *n.*, 222 *n.*, 293 *n.*, 302 *n.*, 342 *n.* *See also* "Kirk Papers".
O'Shaughnessy, Dr., Bishop of Killaloe, 88, 89.
Oulton Abbey, 185.

Pacca, Cardinal, 101, 109, 119, 122, 128, 130, 131, 133, 134, 139.
Paris, Archbishop of, 224 *n.*
— English Benedictines of, 255, 268.
— English Seminary, 157, 255, 256, 257, 259, 262, 267.
— Irish College, 255, 256, 262, 263, 267.
— Scots College, 267.
— Treaty of, 258, 259.
— University of, 257.
Parker, Rev. Henry, 255, 256, 262, 268.
Parliamentary Commission on Education, 164.
Parnell, Sir Henry, 140, 234, 235, 239, 241.
Paterson, Bishop Alexander, 264.
Peel, Right Hon. Robert, 3, 235, 239, 245.
Peltier, M., 172.
Perceval, Right Hon. Spencer, 1, 273.
Perigueux, Bishop of, 224.
Petre, Lord, 35 *n.*
Pietro, Cardinal di, 71, 73 *n.*, 94, 122, 223.
Piggott, Sir Arthur, 35.

Pius VI., 110, 192.
Pius VII., 13, 16, 71, 72 *n.*, 73 *n.*, 86, 93, 94, 95, 98, 100, 107, 108, 128, 221, 222, 225, 226, 227, 228, 229.
Plowden, Rev. Charles, 68 *n.*
Plowden, Rev. Robert, 67, 68, 181.
Poland, 196.
Ponsonby, Right Hon. George, 28, 29, 48, 49, 140.
Posen, 239.
Poynter, Bishop William, succeeds Bishop Douglass, 1; his difficulties, 4; Irish bishops and Trevaux, 45; meets Bishop Moylan, 12; assists at Durham meeting (1812), 13-15; Trevaux case, 18; Milner's comments, 19-22; address London clergy on "new" resolution 24; addresses laity, 25; Canning's Commissions, 33, 35 *n.*; his attitude, 39, 40, 45; reply to Milner, 42; Castle Street meeting, 45-48; hopes for modification of clauses, 48; on origin of Durham Meeting (1813), 57-58; resigns Presidency of St. Edmund's College, 59; why Milner was not invited to Durham Meeting, 59-62; assists to draw out pastoral, 63; reply to Milner's Encyclical, 70; asks Roman guidance on bill, 70, 76; the *Ristretto*, 76-79, 305-318; publishes Quarantotti Rescript, 86; attacked in Ireland, 89; Durham Meeting (1814), 96-98; Litta's letter, 101; Milner's accusations, 103, 117; financial questions, 104, 326-333; expected in Rome, 105, 109, 110; journey to Rome, 117; attitude to Rescript, 119; interview with Litta, 120; audience of Pope, 121; Litta's attitude, 122; statement of case of English Catholics, 123; "Apologetical Epistle," 124, 298, 300; protest against continual accusations, 125, 126; relations with Mr. Cooke, 127; follows Pope to Genoa, 128; sees Litta at Viterbo, 129; at Genoa, 131; Genoese Letter, 133; returns to England, 134; does not publish letter, 137; protests against Milner's letter to *Orthodox Journal*, 139; Litta's reply, 139; attacked by O'Connell, 147; need of priests, 155; Catholic development, 158; education question, 160; gives evidence before Parliamentary commission on education, 164; "The unveiling of the Retired Ladies," 165-168; fails to secure a coadjutor, 171; attacks in *Orthodox Journal*, 175, 180; agent of Scotch vicars apostolic, 180; attitude on veto, 182; view of Milner's conduct, 182, 183; Roman condemnation of Milner's journalism, 188; strives to guide Catholic Bible Society, 192, 217; Rome approves of his attitude, 201; takes exception to Gandolphy's *Liturgy*, 207; prohibits its circulation, 210; suspends Gandolphy, 211; reprimanded by Litta, 211; his reply, 212; Gandolphy's apology, 212, 213; bishops, clergy and laity appeal to Pope against Litta's treatment of Poynter, 213, 214; Gandolphy's books referred to Index, 214; Poynter's list of errors contained, 214-216; Milner's attack, 216-218; condemnation of Gandolphy, 218; Poynter's emotion on hearing of his early death, 220; attitude to French clergy in London, 221; draws out formula for them, 225; its effect, 226-229; Pope orders its extension throughout England, 228; the Bishop of Blois, 230-232; Poynter asks Lingard to answer Hippisley report, 240; suggests publication of resolutions and Genoese letter, 241-243; the Bathurst bust, 251; alleged negotiations on oath of supremacy, 252; visits Paris to recover English College property, 255; interview with Castlereagh, 257; memorandum on case, 257; returns, 258; second visit to Paris, 264-266; claims from British Commissioners, 265; returns to England, 268; deplores Milner's activities, 296; on Cisalpine Club, 297; Butler publishes *Apologetical Epistle*, 298; Poynter's distress, 299; declines to publish anything, 302.
Apologetical Epistle, 48 *n.*, 60, 124, 298, 299, 302.
Diary, 82 *n.*, 104 *n.*, 117 *n.*, 120, 133.
Letter book, 78, 97 *n.*, 139, 157.
Letters: to Rev. J. Y. Bramston (Jan., 1816), 265; to Bishop Collingridge (Feb., 1813), 24; (July, 1813), 57; (1815), 126; (1817), 278; to Bishop Gibson (Jan., 1816), 264; to Rev. R. Gradwell, 299; to Rev. J. Hodgson, 123; to Irish Bishops, 4; (Jan., 1813), 18; to Dr. Kirk, (1812), 4; (Aug., 1819), 182; (1819), 296; (1821), 302; to Cardinal Litta (Feb., 1815), 327; to

Rev. P. Macpherson (June, 1813), 40, 305; (July, 1813), 309; (July, 1813), 311; (Aug., 1813), 316; (Jan., 1814), 181; (March, 1814), 221; to Bishop Milner (May, 1813), 42; (end of 1813), 70; to Bishop Moylan (Aug., 1812), 16.
Presburg, 229.
Propaganda, 71; list of Prefects of, 73 *n.*; 94, 187, 211, 212.
— archives, 105 *n.*, 106 *n.*, 131 *n.*, 132, 139, 183 *n.*, 222 *n.*, 299, 305, 319, 341 *n.*, 342 *n.*
Protestation, the, 27, 28, 295, 296, 300.
"Protesting Catholic Dissenters," 69, 103, 292 *n.*
Prussia, 239.
Publicist, the, 186.

Quarantotti, Padre Carlo, 79.
Quarantotti, Mgr. John Baptist, his career, 71; Vice-Prefect of Propaganda, 71; writes to Dr. Milner and Troy, 74; impressed by Dr. Troy's answer, 79; calls congregation to consider late bill, 79; Rescript prepared, 79-81, 109, 122, 142, 144, 146, 186.
Quarantotti Rescript, political Rescript, 81, 82, 83, 84, 87; theological Rescript, 81, 82, 83; published in London, 86; reception in Ireland, 88-90; action of bishops, 90; English Board thank Pope, 96; vicars apostolic accept Rescript, 97; Milner on Quarantotti, 101; Rescript equivalently revoked, 101, 102, 103; Macpherson defends it, 105; hopeful of success, 108, 109; Dr. Poynter holds no brief for Rescript, 119; Genoese letter, 137, 182; Poynter and Macpherson correspondence, 305-318.
Quebec, 239, 240.

Reading, 155.
Regent, the Prince, 1, 2, 84 *n.*, 86, 91, 92, 93, 94, 234, 236, 237, 247, 253.
"Rentes," 255.
"Retired Ladies," 165.
Rheims, Archbishop of (Mgr. Talleyrand-Perigord), 118, 224 *n.*
Rhodez, Bishop of, 226.
Rigby, Rev. Thomas, 8, 99, 155, 168, 193, 194.
Ristretto, the, 76-79, 305, 317.
Rivington, Rev. Luke, 276.
Roman Catholic Principles with regard to God and the king, 302, 303.
Rome, English College, suggested reopening, 112, 113; 119.
Rome, English College archives, 52 *n.*, 57 *n.*, 59 *n.*, 61 *n.*, 66 *n.*, 88 *n.*, 170, 208, 221, 251 *n.*, 253 *n.*, 277 *n.*, 298, 299 *n.*
— Scots College, 119.
— Society of St. Jerome, 192.
Romilly, Sir Samuel, 236.
Roughy, 158.
Russia, 196, 209.

St. Edmund's College, 9, 58, 66, 156, 157, 158, 246.
St. Edmund's College archives, 156 *n.*
St. Giles "Catholic Schools," 161-163, 200.
St. Jerome's Society, 192.
St. Omer, English College, 259, 267, 268.
Sala, Cardinal, 223.
Savona, 19, 72 *n.*, 73 *n.*
Scotch vicars apostolic, nominate Dr. Poynter their agent, 180; 182, 255, 258.
"Seceders," 234.
Sedgley Park, 15.
Sepulchrines of New Hull, 167.
Seventeenth Resolution of Irish bishops, 129.
Seymour, Lord R., 198.
Sharrock, Bishop Gregory, 19 *n.*, 275.
Shrewsbury, Earl of, 35 *n.*, 46, 50, 51, 234.
Sidmouth, Lord 3, 169.
Sidney, Mr. Marlow, 199.
Silvertop, Mr. George, 51, 52, 121, 130, 178, 184, 187, 237, 238, 280.
Sisteron, Bishop of, 224 *n.*
Smelt, Rev. Robert, 72, 104.
Smith, Bishop Thomas, 60, 170, 182, 185, 189.
Somaglia, Cardinal, 101, 111, 121.
Southwell, Lord, 35 *n.*
Southwell, Rev. Richard, 155.
Spina, Cardinal, 134.
Stafford, 286.
"Staffordshire clergy," 157.
Statesman, the, 38 *n.*
Stone, Rev. Marmaduke, 68.
Stonor, Mr. Thomas, 27, 28.
Stonyhurst, 205.
Stourton, Hon. Edward, 297.
Stourton, Lord, 35 *n.*, 53, 137, 278, 280.
Strigonia, National Council at, 229.
Stuart, Sir Charles, 257, 266, 296.
Sturges, Dr., 274, 284, 294.
Subiaco, 109.

Talbot, Bishop James, 52.
Talleyrand-Perigord, Mgr., 224 *n.*
Tansoni, Mgr., 79.
Tate, Rev. Joseph, 68,

Taunton, 59.
Teignmouth Convent, 167.
Test Act, 249.
Thompson, Rev. Richard, 175.
Thornton, General, 249, 287.
Thorpe Arch, 297.
Throckmorton, Sir John, 40, 137, 270.
Tierney, Rev. Mark, 271, 275 *n.*
Times, the, 144 *n.*, 225 *n.*
Towneley, Mr. Peregrine, 53.
Trappists at Lulworth, 168, 169.
Trevaux case, 66, 72, 74, 75, 88, 140.
Trimmelston, Lord, 35 *n.*
Troy, Dr., Archbishop of Dublin, 10, 15, 33, 34, 40, 41, 46, 74, 75, 87, 88, 89, 90, 101, 102, 133, 134, 138, 152, 201, 202, 203, 204, 211, 226, 242; letter to O'Connell, 33, 40.
Truthteller, the, 38, 274.
T'sas, Abbé, 231, 232.
Tuite, Rev. Francis, 259, 264, 267, 268.
Tuscany, 239.

Ugbrooke, 59.
Ushaw, 13, 276.
Ushaw Magazine, the, 278 *n.*, 279 *n.*, 280 *n.*, 282 *n.*
Uzès, Bishop of, 221, 224.

Vannes, Bishop of, 224 *n.*
Veto, the, English vicars apostolic repudiate, 10; Dr. Poynter's letter, 16; "securities," 28, 29; Hippisley's scheme, 30; no veto in original bill of 1813, 31; Canning's veto clauses, 32, 34; Lord Castlereagh's clauses, 35-36; rejected by Milner and Irish bishops, 36-38, 41; Dr. Poynter's attitude, 39, 40; postscript to Milner's *Brief Memorial*, 52, 53; vicars apostolic consulted, 57; Macpherson's statement in Rome, 76-81; Quarantotti Rescripts, 81-84, 97-98; matter to be reconsidered, 101, 102, 103, 116; Milner's veto scheme for Litta, 125; attitude of English vicars apostolic, 182; Genoese letter, 136, 137; uncompromising attitude of Irish bishops, 145, 146; of Irish laity, 146-154; English Catholic Board and "securities," 234; Grattan and the Genoese letter, 235; Report of Hippisley Committee, 239-240; so-called veto petition, 249-250.
Vicars apostolic, meeting of at Durham (1812), 12-17; (1813), 57-62; theological opinion on Relief Bill, 62, 63; meeting at Durham (1814), 96; majority against restoration of Jesuits, 98.
Vienna, Congress of, 86, 93, 127, 131, 132, 257, 319.
Villers, Mgr., 232 *n.*
"Vindicator," 289.
Viterbo, 129.
Voyaux de Franous, Abbé, 226.

Walsh, Dr., 256, 262.
Wappenbury, 68 *n.*
Waterloo, Battle of, 233, 234, 236, 263.
Weld, Mr. Thomas, 45, 46, 53, 69, 169.
Wellesley, Marquis, 1, 2, 3.
Wellington, Duke of, 236, 262, 263.
West Indies, 169.
Westminster Abbey, 254.
Westminster archives 10 *n.*, 13, 14 *n.*, 16 *n.*, 17 *n.*, 24 *n.*, 33 *n.*, 40 *n.*, 42 *n.*, 51 *n.*, 53 *n.*, 70 *n.*, 103 *n.*, 104 *n.*, 112 *n.*, 117 *n.*, 123 *n.*, 139 *n.*, 156 *n.*, 157 *n.*, 159 *n.*, 165 *n.*, 189 *n.*, 210 *n.*, 211 *n.*, 214 *n.*, 217 *n.*, 225 *n.*, 230 *n.*, 242 *n.*, 245 *n.*, 255 *n.*, 282, 283 *n.*, 297 *n.*, 299 *n.*, 305 *n.*, 334 *n.*, 335 *n.*, 338 *n.*
Weston Underwood, 270.
Wetherby, 297.
Wheeler, Rev. James, 282.
Whitbread, Mr., 140.
White, Rev. Thomas, 42 *n.*, 282.
Whyte, Capt. Edward, 246, 297.
Wilberforce, Mr., 198.
Wilds, Rev. William, 113.
Winchester, 275, 278, 282, 284.
Winchester Convent, 167, 168.
Wiseman, *Last Four Popes*, 91 *n.*, 94 *n.*
Wiseman, Cardinal, 190.
Woolhampton, 268 *n.*
Woolwich, 156.
Wortley, Mr. Stuart, 2.

Yates, Rev. John, 267.

ABERDEEN: THE UNIVERSITY PRESS

274.207
W21

3415

WARD? BERNARD

AUTHOR

The Eve of Catholic Emancipation. Vol. II

TITLE

DATE LOANED	BORROWER'S NAME	ROOM NUMBER
OCT	F S Brinsley NOV	19
6/10/60	Mt. St. Mary's - L.A.	

STORAGE - CBPL

3415